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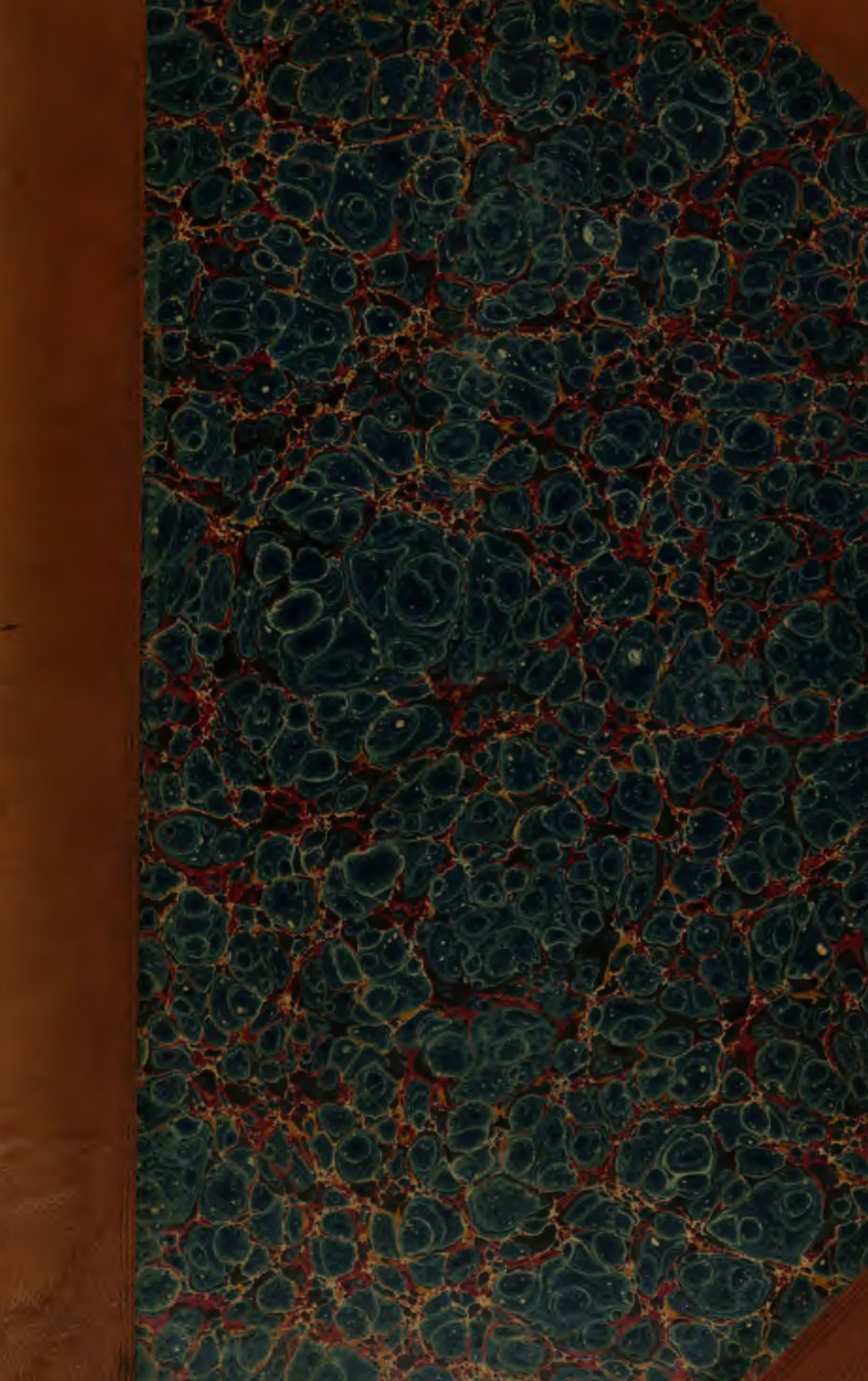
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**THE
JURIST.**

VOL. XV.—PART II.

CONTAINING

**ORIGINAL ARTICLES ON LEGAL SUBJECTS,
ALL IMPORTANT STATUTES,
THE RULES AND ORDERS OF THE VARIOUS COURTS,
THE GAZETTES, CAUSE LISTS,
AND MISCELLANEOUS LEGAL INFORMATION,**

FOR

THE YEAR 1851:

WITH AN

ALPHABETICAL LIST OF BANKRUPTS,

AND

INDEX OF PRINCIPAL MATTERS.

LONDON:

**S. SWEET, CHANCERY LANE;
V. & R. STEVENS & G. S. NORTON, 26, BELL YARD.**

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JAN. 11, 1851.

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LONDON, JANUARY 11, 1851.

WE propose in this paper to combat the notion at present gaining popularity, that great benefit to the public will result from a separation of the judicial from the political functions of the Lord Chancellor; and we propose to do so partly upon grounds very different from those hitherto usually considered in the discussion of this question.

It seems generally to have been assumed, in all that has been said in and out of Parliament on this subject, that the administration of equity is the only thing to be considered. All the arguments have been addressed to the inconvenience alleged to be suffered by suitors from the overburthening of the Chancellor, or the danger to the interests of justice likely to arise from the Chancellor being a political and removable officer. We apprehend that this is a narrow view of the subject, and that the value to the State of the existence of the office of Chancellor, in its integrity, must be looked at with reference to broad principles of policy, not merely with reference to so small a part of our political system as the administration of equitable jurisprudence. We do not, of course, mean to assert that the due administration of justice is not to be considered, but only that other and weighty considerations exist, and must also be taken into account.

It will not have been overlooked, nor will it be now forgotten by those who have reflected on the real principles of the English government, that its distinctive characteristic is the combination of a recognition of democratic rights with aristocratic leading—a combination only to be practically effected by a system which, while habitually intrusting the exercise of high political power only to the great in station, leaves open certain regular and recognised channels through which men of great powers, but of neither birth nor fortune, can make manifest their fitness for the possession of political power, and obtain legitimate authority to exercise it. In no monarchical form of government known in Europe has that principle ever been thoroughly recognised, except in our own; on

the contrary, in most of the countries of Europe, governed according to monarchical and aristocratic forms, the regular access to political power has been studiously shut against all persons not of a certain caste. Not only have all high offices been confined to noble persons, but there has been no regular mode by which strong-headed and ambitious politicians could become nobles. Hence, in part, has arisen that compression of society which has led, in some of the continental states, to a gradual extinction of energy in the popular character, and to the adoption of a government in effect continuously military; in others, to a feverish and unwholesome state of general discontent, in which the multis utile bellum has brought about such convulsions as we have seen within the last two years in Germany. The history of every revolution and every insurrection that has desolated the Continent since the great French revolution would, if analysed, shew vividly the extreme political danger of a system, in which, while power is exercised—and we deny not that it ought to be exercised—by a superior class of some kind, the ranks of that class are not capable of opening, so as to admit great men to participate in its privileges, without regard to the class from which they spring. We will not waste the time of our readers by going into historical proof of the soundness of a political doctrine which is of course familiar to those who, with any knowledge of human nature, have reflected at all on the principles of government, and which requires but to be stated to educated men to be understood and admitted by them, even if their tastes should not have directed their attention to political studies. We shall therefore take it to be understood and admitted, that, in order to preserve a government in which monarchical and aristocratic forms exist, as they do in ours, consistently with public freedom and political tranquillity, there should be some regular and recognised channels of employment, through which men of strong and ambitious minds, in whatever class they may be born, can work their way up to a position in the State, second to none except that of the Sovereign; that there ought to be a few, and but very few, such posi-

tions, and that their attainment ought to be dependent, not on the mere favour of the Sovereign, or the caprice of any minister, but upon the constitutional and wise exercise of the power of selection which is vested in the Sovereign, with the direct effect, if not for the express purpose, of enabling the Crown to draw into the service of the State the men most qualified to assist in the task of government.

In England there are two, and two only, channels through which men, not born to rank and political authority, can, in time of peace, obtain either—the Senate and the Bar. An Englishman may acquire wealth and extensive social influence, if those are his desire, in commercial pursuits. He may acquire fame, and perhaps wealth, in many professional pursuits. He may acquire dignity and wealth in the Church; but only through the Senate or the Bar can he reach at once high rank and high political power. The restriction extends, indeed, somewhat further; for to the man not only without rank, but poor, the Bar is the only employment through and by which political position and power are attainable. It would be tedious and useless here to inquire why this is; but unquestionably so it is. So usage has settled the social institutions of this country; and while, as experience demonstrates, the humblest in origin may, by dint of talent, energy, and perseverance, work his way at the Bar, first into professional eminence, then into political distinction, and lastly into that position which is still second to none in the State, it is equally notorious, that, in times of peace, with the rarest possible exceptions, there is no road to such honour and position accessible to a man without blood and without means, except the Bar*. So that if the political prize attainable through distinction at the Bar is no longer a first prize, there will be, *de facto*, no legitimate course by which, without favour and without patronage, the ambitious man, of obscure birth and connexions, can reach the position for which by nature he is intended, and in which he can best serve his country. The result will be, to deprive the Crown of one of its resources for surrounding itself with able servants; to concentrate political authority in the hands of the wealthy and high born; and to leave unsatisfied, and therefore prone to hatred of the existing order of things, those energetic and restless spirits which are sometimes to be found in the bodies of obscure and friendless men.

It will, perhaps, be said, that if the proposed subdivision of the office of Lord Chancellor should take place, there will be two positions of great dignity and authority, instead of one, open to the ambitious man who chooses the Bar for his career. But this argument, we think, proceeds upon a total ignorance of the character of the sort of men for whom Chancellorships and Premierships are destined. Such men are the sort of men who, in the middle ages, in the high and palmy days of the Papacy, struggled to become Popes; who, in times of turbulence and civil war, become Protectors and First Consuls; who are in all times destined to rule, and in times of peace will be contented to rule in peace,

* We say there is no road except the Bar, because the House of Commons is not practically open to a man without either rank or fortune. We do not assert either that it can or ought to be so, but only that it is not.

and by the steady and legitimate attainment of power, but will in no times be contented with mere wealth, or with a second or third rate post in the State. Hence, if the utmost height attainable through success at the Bar be something equivalent to even a Chief Justiceship, such men will not enter the ranks of the Bar. Will they, then, be contented to remain obscure and inactive? No; it would be idle to expect it. It is of their very nature and essence to struggle for *pre-eminence*, and nothing else will content them. They will still seek pre-eminence, but it will be through irregular channels, with unfixed aims, though with a fixed determination. Men who now quietly join the Bar, and, with their eyes fixed on the distant and apparently unattainable woollack, for years work on in silence, content, sustained by the hope that they nurse in their secret hearts, to labour at the common drudgery of their profession, while they are filling their minds with the fruit of reading, and of thought and experience, and so preparing themselves to govern wisely when their turn for assisting in the government arrives, would, if no such predominant position as that of the Chancellor were attainable, become political adventurers in and out of the House of Commons; harassing all men; unsettling all things; rushing, perhaps prematurely, by coups de main, into power; and applying, as did statesmen in the old time, to the mischievous arts of intrigue, a large portion of the time and power which are now, more beneficially for the country, applied in the acquisition of solid political information and large experience.

We say, then, that it is of the highest public importance that there should be some fixed and regular channel, through which the humblest and poorest may, by the exertion of great mental and moral power, attain, not merely emolument, not merely rank, not merely the shew of dignity, but position, authority, rule—such a position as only is enjoyed in this country by two functionaries—the Premier and the Chancellor.

We say that the office of Lord Chancellor, as at present constituted, is the only office which, with the rarest exceptions, is attainable to the man who is either poor or obscurely born, or both, and that the Bar is the only channel through which it is obtainable. We say, that if this office be abolished, or, what is the same thing, be divided into two second or third rate offices, some other office equally high must be made attainable by some regular, but perfectly open, course of labour, otherwise great political mischief will ensue.

If these views are sound, the question to be considered is, not the abolition of the office of Lord Chancellor, but the best mode of giving him assistance, if assistance he requires; and, as lightening of his labour might be effected in many ways, one and the most obvious is, that the Chancellor should not hear appeals in the House of Lords, by which, during the sitting of Parliament, two and sometimes three days in a week would be gained for the business of his court; and probably no alteration would be more satisfactory to the public than the removal of the great judicial absurdity of a judge hearing appeals from his own decrees. Another would be, that lunacy business should be, as all other business is, primarily heard by the Master of the Rolls and the Vice-Chancellors, so that the Chan-

cellor might be troubled with nothing but appeal petitions; by this, a clear half day, perhaps more, in a week, during the entire Chancery sittings, would be gained. By these, and by some other retrenchments from the Chancellor's occupations, his office might be allowed to retain its political value, and at the same time be adapted to the judicial wants engendered by the increased business of the country.

Court Papers.

EQUITY SITTINGS, HILARY TERM, 1851.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | | |
|-----------------|---------|---------------------------------------------------------------------|
| Friday | Jan. 10 | Adjourned Cause Petitions. |
| Saturday | 11 | Appeal Motions. |
| Monday | 13 | } Appeals. |
| Tuesday | 14 | |
| Wednesday | 15 | |
| Thursday | 16 | Appeal Motions. |
| Friday | 17 | { (Petition-day).—Lunatic and Cause Petitions (unopposed first). |
| Saturday | 18 | } Appeals. |
| Monday | 20 | |
| Tuesday | 21 | |
| Wednesday | 22 | } Appeals. |
| Thursday | 23 | |
| Friday | 24 | |
| Saturday | 25 | Appeal Motions. |
| Monday | 27 | { (Petition-day).—Lunatic and Cause Petitions (unopposed first). |
| Tuesday | 28 | } Appeals. |
| Wednesday | 29 | |
| Thursday | 30 | |
| Friday | 31 | Appeal Motions. |

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

| | | |
|-----------------|---------|----------------------------------------------------------------------|
| Saturday ... | Jan. 11 | Motions. |
| Monday | 13 | Petitions in General Paper. |
| Tuesday | 14 | } Pleas, Demurrers, Causes, Further Di- rections, and Exceptions. |
| Wednesday | 15 | |
| Thursday | 16 | |
| Friday | 17 | Motions. |
| Saturday | 18 | } Pleas, Demurrers, Causes, Further Di- rections, and Exceptions. |
| Monday | 20 | |
| Tuesday | 21 | |
| Wednesday | 22 | } Motions. |
| Thursday | 23 | |
| Friday | 24 | |
| Saturday | 25 | } Pleas, Demurrers, Causes, Further Di- rections, and Exceptions. |
| Monday | 27 | |
| Tuesday | 28 | |
| Wednesday | 29 | } Petitions in General Paper. |
| Thursday | 30 | |
| Friday | 31 | |

Short Causes, Consent Causes, Unopposed Petitions, and Short Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and Copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Lincoln's Inn.

| | | |
|-----------------|---------|----------------------------------------------------------------------------------------------------|
| Saturday ... | Jan. 11 | Motions. |
| Monday | 13 | } Adjourned Petitions, Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions. |
| Tuesday | 14 | |
| Wednesday | 15 | |

| | | |
|-----------------|----|----------------------------------------------------------------------------|
| Thursday | 16 | Motions. |
| Friday | 17 | } Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions. |
| Saturday | 18 | |
| Monday | 20 | |
| Tuesday | 21 | } Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions. |
| Wednesday | 22 | |
| Thursday | 23 | |
| Friday | 24 | Motions. |
| Saturday | 25 | } Pleas, Demurrers, Exceptions, Causes, Causes, and Further Directions. |
| Monday | 27 | |
| Tuesday | 28 | |
| Wednesday | 29 | } Short Causes, Short Claims, and Bank- rupt Petitions. |
| Thursday | 30 | |
| Friday | 31 | |

N. B.—His Honor will hear Bankrupt Petitions on Friday, the 10th January, at half-past ten o'clock, and on Saturday, the 1st February.

Before VICE-CHANCELLOR LORD CRANWORTH, at Lincoln's Inn.

| | | |
|-----------------|---------|----------------------------------------------------------------------------------|
| Friday | Jan. 10 | Adjourned Petitions. |
| Saturday | 11 | Motions. |
| Monday | 13 | } Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Tuesday | 14 | |
| Wednesday | 15 | |
| Thursday | 16 | Motions. |
| Friday | 17 | { (Petition-day).—Petitions, (unopposed first), Short Causes, & Short Claims. |
| Saturday | 18 | } Remaining Petitions and General Cause Paper. |
| Monday | 20 | |
| Tuesday | 21 | |
| Wednesday | 22 | } Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 23 | |
| Friday | 24 | |
| Saturday | 25 | Motions. |
| Monday | 27 | { (Petition-day).—Petitions, (unopposed first), Short Causes, & Short Claims. |
| Tuesday | 28 | } Remaining Petitions and General Cause Paper. |
| Wednesday | 29 | |
| Thursday | 30 | |
| Friday | 31 | Motions. |

EQUITY CAUSE LISTS, HILARY TERM, 1851.

*. The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | | |
|---------------------------|-----|---------------------------|
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| Short v. Mercier (Ap) | | Hickman v. Hickman (Ap) |
| Fowler v. Reynal (Ap) | | Rodick v. Gandell (Ap) |
| Miller v. Huddleston (Ap) | | Robinson v. Geldart (Ap) |
| Yates v. Madden (Ap) | | Salmon v. Dean (Ap) |
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| Menzies v. Connor (2 Aps) | | Vivian v. Cochrane (Ap) |
| Hickling v. Boyer (Ap) | | Sturge v. Sturge (Ap) |
| Rowland v. Witherden (Ap) | | Pelly v. Wathen (Ap) |
| Myers v. Perigal (Ap) | | Rhodes v. Matson (Ap) |
| Pearson v. Goulden (Ap) | | Smith v. Smith (Ap) |
| Pearson v. Beck (Ap) | | Kekewick v. Manning (Ap) |
| Pearson v. Hulme (Ap) | | Att.-Gen. v. Murdock (Ap) |
| Pearson v. Oldham (Ap) | | Deeks v. Bell (Ap) |
| Watkins v. Williams (Ap) | | Toft v. Stephenson (Ap) |
| Havard v. Church | | Graham v. Reeves |
| Emmett v. Dewhurst (Ap) | | Smale v. Graves (Ap) |
| Monro v. Taylor (2 Aps) | | Reynell v. Sprye (Ap) |

Hawkes v. Eastern Counties
Railway Co. (Ap)
Vaughan v. Vanderstegen }
Gates v. Lord Dunboyne }
Price v. Griffith (Ap)
Coope v. Carter (Ap)
Bayden v. Watson } (Ap)
Lardner v. Paine }
Hamilton v. Bankin (Ap)
Saunders v. Hamilton (Ap)
Swift v. Grazebrook (Ap)
Robinson v. Robinson (Ap)
Gaston v. Frankum (Ap)
Bell v. Rea } (Ap)
Rea v. Bell }
Ward v. Martin (2 Aps)
Weaver v. Grant (2 Aps, Ptn)
Haigh v. Gray (Ap)
Duke of Leeds v. Earl Amherst
(Ap)
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COMMON-LAW CAUSE LISTS, HILARY TERM, 1851.

Court of Queen's Bench. NEW TRIALS

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 TINGS AFTER MICHAELMAS TERM, 1850.

FOR JUDGEMENT.

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 Lond.—Campbell v. Hewlett
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Midd.—Hay v. Ayling

EASTER TERM, 1850.

Midd.—Agriculturist Cattle
 Insurance Co. v.
 Fitzgerald

„ Mullett v. Challis
 „ Taylor v. Hawkins

Lond.—Governor and Co. of
 Copper Miners of
 England v. Fox

„ Griffiths v. Hicks
 „ Austin v. Manchester,
 Sheffield, and Lin-
 colnshire Railw. Co.

„ Husband v. Cattlin

Durham—Kirk v. Bell

Cardigan—Davies v. Williams

Tried during Easter Term,
 1850.

Lond.—Gilbertson v. Joseph

TRINITY TERM, 1850.
 Lond.—Alexander v. Thomas

SPECIAL CASES AND DEMURRERS

FOR HILARY TERM, 1851.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR ARGUMENT.

Evans v. George
 Trotter v. York, Newcastle,
 and Berwick Railway Co.
 Leeming & an. v. Snaith
 Worsley & an. v. South Devon
 Railway Co.
 West v. Jackson & an.
 Waterford, Wexford, Wick-
 low, and Dublin Railway
 Co. v. Logan

Tried during Trinity Term,
 1850.

Midd.—Smith v. Brain
 MICH. TERM, 1850.

Midd.—Brown v. Glenn
 „ Applemans v. Mar-
 chand

„ Seymour (a pauper) v.
 Maddox

Lond.—Whitmore & ors. v.
 Schneider & an.

Worcester—Wilton v. Dunn
 Stafford—Doe d. Shallcross v.
 Palmer & Wife

Huntingd.—Abraham v. Great
 Northern Rail-
 way Co.

„ Same v. Same

Bristol—Hope v. Beadon

York—England v. Kingsford
 „ Richardson v. Wodson

„ Same v. Same
 „ Fawcett v. York and
 North Midland Rail-
 way Co.

„ Lawrence v. Great
 Northern Railw. Co.

Newcastle—Schmalz v. Avery
 „ Schmalz v. Avery

Lancash.—Staveley v. Alcock
 Reg. v. Thompson

Liv'pool—Brown v. Clegg
 North'ton—London & North-
 western Railway
 Co. v. Wetherall

Lincoln—Prettyman v. Cole-
 grave

Warw.—Reg. v. London and
 North-western Rail-
 way Co.

Kent—Spinks v. Cooper

Brecon—Doe d. Ashburnham
 v. Michael & an.

West v. Jackson (Arrest of
 judgment)

Francis & an. v. Bailey

Griffiths v. Fenton

Gallini v. Earl of Courtown

Bank of Australasia v. Nias

*Tarleton v. Liddell & an.

Bank of Australasia v. Rous

Carr v. Scollard

Howell v. Wilkin & an.
 Cole v. Plank
 Marson & an. v. Lund

Berry v. Torr & an.
 *Boothman & an. v. Manchester, Sheffield, and Lincolnshire Railway Co.
 Robson v. Singer
 Irish South-eastern Railway Co. v. Clarkson
 Bishop of Durham v. Allnutt
 *Elliott v. Lewis
 Keyse v. Powell
 Dew v. Blenkarn
 Sunderland Marine Insurance Co. v. Kearney & an. (E)
 *Gabriel & ors. v. Smith & ors.
 Billing v. Roper
 Sutton & an. v. Eastern Union Railway Co.
 Mayor, Aldermen, &c. of Birmingham v. Wright & an.
 Orchard v. Withers
 Rochdale Canal Co. v. Radcliffe
 Staunton v. Wood & ors.

Corbett v. Massey (Arrest of judgment)
 *Earl of Chichester v. Hall
 Glover v. North Stafford Railway Co. (Sp. Verd.)
 Postle & an. v. Magnay
 Smith & an. v. Losh (Award)
 Morice v. Clarke
 Gibson & an. v. Vernon & an.
 Master, Wardens, &c. of the Co. of Tobacco-pipe-Makers, &c. v. Loder
 *Weddell v. Robinson
 Gurney & ors. v. Howard
 Peake v. Ditcham
 Helps v. Anstruther
 Lowndes v. Earl Stamford and Warrington
 *Lord Seymour v. Morrell
 Goetling v. Bartlett
 *Blair v. Ormond & an.
 West & an. v. Elmore
 Woodcock v. Pritchard & an.
 Hodgson v. Spiak

Lond.—Geraldopole v. Wisler
 " Dixon v. Zizinia
 " Smith v. Hartley
 " Addington v. Magan
 Warwick—Berry v. Forrester
 Durham—Doe d. Bainbrigg v. Bainbrigg

Somerset—Bennett v. Haine
 Surrey—Husband v. Davis
 " Rastrick v. Laing
 Kent—Thame v. Moriarty
 Glamorgan—Doe d. Hopkin v. Price

DEMURRER PAPER.

Thursday, Jan. 16.

Robinson v. Marquis of Bristol

ENLARGED RULES.

First Day.

Tittman v. Parsons
Curling v. DrewMarsh v. Jones
Banks v. Rice
Same v. Same

CUR. ADV. VULT.

Electric Telegraph Co. v. Brett | Newnham v. Stevenson.

ENLARGED RULES

FOR HILARY TERM, 1851.

Those marked thus * are to be heard in the Bail Court.

First Day.

In re Davie
 Whittington d. Whittington v. Hards
 Howkins v. Baldwin
 *In re Backhouse & an.
 *Petre v. Duncomb
 In re Cave
 *Reg. v. Justices of the West Riding
 Same v. Manchester and South Port Railway Co.
 *Same v. Justices of Southampton
 Same v. Stour Valley Railway Co.

*Same v. Mayor and Assessors of Kidderminster

Second Day.

*In re Mousley
 *In re Kingswill & ors.
 *Johnson v. Latham
 *Mann v. Buckerfield
 *Davies v. Magub & Wife
 Reg. v. Commissioners of Land Tax
 Same v. Commissioners of her Majesty's Treasury
 Same v. South-eastern Railway Co.
 Same v. Chapman & an.

CROWN PAPER, HILARY TERM, 1851.

Halifax Reg. v. Prest.
 Durham Guardians of the Durham Union.
 Worcestershire Lechnere.
 Devonshire Churchwardens of Ide.
 Manchester Overseers of Manchester.
 Same Brandt.
 Same Manchester South Junction and Altrincham Railway Company.
 Yorkshire Inhabitants of Knaresborough.
 Middlesex Richards.
 Same Inhabitants of St. Marylebone.
 Hertfordshire Kingsley.
 Middlesex Attorney-Gen. v. Great Western Railway Co.
 Yorkshire Reg. v. Inhabitants of Wigton.
 Middlesex Inhabitants of St. Marylebone.
 Lancashire Lancashire and Yorkshire Railway Co.
 London Beasell.
 Same Same.
 Cambridgeshire Coward.
 Rochester Dean of Rochester.

Court of Common Pleas.

NEW TRIAL.

MICH. TERM, 1848.

Surr.—Hamilton v. Cochrane
(To stand over, parties in course of arranging).

MICH. TERM, 1850.

Midd.—Doe d. Goodwin v. Joyce
 " Thorne v. Smith

Court of Exchequer.

SITTINGS—HILARY TERM, 1851.

| | | Banc. | Nisi Prius. |
|---------------------|-----------------------------------|-------|--------------------|
| Saturday .. Jan. 11 | { Peremptory Paper after Motions |  | ..... |
| Monday 13 | { Peremptory Paper before Motions | | Midd. 1st Sitting |
| Tuesday 14 | ..... |  | ..... |
| Wednesday ... 15 | ..... |  | ..... |
| Thursday 16 | Circuits chosen |  | ..... |
| Friday 17 | Cases |  | ..... |
| Saturday 18 | Crown Cases | | London 1st Sitting |
| Monday 20 | Demurrers | | Midd. 2nd Sitting |
| Tuesday 21 | Errors |  | ..... |
| Wednesday ... 22 | Cases |  | ..... |
| Thursday 23 | ..... |  | ..... |
| Friday 24 | Demurrers |  | ..... |
| Saturday 25 | ..... |  | London 2nd Sitting |
| Monday 27 | Cases | | Midd. 3rd Sitting |
| Tuesday 28 | ..... |  | ..... |
| Wednesday ... 29 | ..... |  | ..... |
| Thursday 30 | ..... |  | ..... |
| Friday 31 | ..... |  | ..... |

NEW TRIALS.

FOR JUDGMENT.

Lafone v. Ellis
 Newbould v. Coltman
 Buckley v. Barber
 Birkenhead Railway Co. v. Pilcher
 South Staffordshire Railway Co. v. Burnside
 Reimer v. Ringros
 Powell v. Harding
 Adcock v. Wood

FOR ARGUMENT.

Moved Easter Term, 1850.

Lond.—Tarte v. Barnes
 " Story v. Finnis

Moved Trinity Term, 1850.

Lond.—Dodd v. Durnford

Moved Mich. Term, 1850.

Midd.—M'Gregor v. Hughes
 " Humphries v. Freshfield
 " Luernson v. Busk
 " Hart v. Baxendale

Midd.—Buessard v. Brother-ton

" Colledge v. Harty

Lond.—Lamotte v. Cooke

" Wood v. Rowcliffe

" Courtivron v. Meunier

" Baker v. Boddington

Guildford—Marriner v. Chadwick

Derby—Baker v. Swann

Warwick—Whitmore v. Shaw

Liv'pool—Ellis v. Lewis

" Wallington v. Dale

Newtown—Embrey v. Owen

Dolgelly—Doe d. Jones v. Hughes

Moved after the 4th Day of Mich. Term, 1850.

Midd.—Beldon v. Campbell

" Marks v. Boulnois

" Wilks v. Wyatt

" Longmeid v. Holliday

" Edwards v. Cameron's &c. Railway Co.

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before the Motions.

Norton v. Robinson
Bull v. Bartholomew
Webb v. Hewlett
Nattle v. Sleeman

Doe d. Davies v. Roe
Langton v. Wetherell (En-
larged to 2nd day of Hilary
Term)

SPECIAL PAPER.

SPECIAL CASES.

FOR JUDGMENT.
Mortimer v. Hartley
O'Brien v. Kenyon
FOR ARGUMENT.
Doe d. Dean and Chapter of
St. Peter, Exeter, v. Phelps
Ralli v. Dennistoun

Sadd v. Waldon, Witham, and
Baintree Railway Co.
Bainbridge v. Little
Hutton v. Cooper
Shiell v. Ward
Doe d. Beech v. Nall
Davison v. Farmer

DEMURRERS.

FOR JUDGMENT.
Mead v. Bashford
Walthew v. Crafts
Allhuson v. Prest
North-western Railway Co. v.
M'Michael

FOR ARGUMENT.
Ellin v. Topp (Ordered to be
re-argued)
Hinckley v. Mayor &c. of
Stafford
Marriner v. Chadwick
Fosbrooke v. Stears.

London Gazettes.

TUESDAY, JANUARY 7.

BANKRUPTS.

MATTHEW ROWLANDSON and LANCELOT ROWLANDSON, Whitechapel-road, Middlesex, drapers and upholsterers, dealers and chapmen, Jan. 17 at 2, and Feb. 22 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Sole & Turner, Aldermanbury, London.—Petition dated Jan. 6.

RALPH HILLS, Downham, Isle of Ely, Cambridgeshire, grocer and flour seller, Jan. 14 at half-past 1, and Feb. 18 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. T. & G. Archer, Ely, Cambridgeshire; Pickering & Co., 4, Stone-buildings, Lincoln's-inn.—Petition filed Dec. 23.

JULES BRETON, King Edward-road, Hackney, Middlesex, insurance broker, (carrying on business in King William-street, London), Jan. 17 at 11, and Feb. 21 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Cotterill, 32, Throgmorton-street.—Petition dated Jan. 6.

CHARLES LIGHTFOOT, Torquay, Devonshire, livery-stable keeper, dealer and chapman, Jan. 15 and Feb. 11 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Carter, Torquay; Stogdon, Exeter.—Petition filed Jan. 6.

GEORGE FLETCHER ALLMEY, Sheffield, Yorkshire, hosier, draper, dealer and chapman, Jan. 25 and Feb. 15 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Hoole & Yeomans, Sheffield.—Petition dated and filed Jan. 3.

ANN ROYSTON, Sherwood Inn Brewery, Chorlton-upon-Medlock, Manchester, brewer, dealer and chapman, Jan. 22 and Feb. 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Sutton, Manchester.—Petition filed Dec. 30.

JOHN DALE HARWOOD, Liverpool, ironmonger, dealer and chapman, Jan. 16 and Feb. 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Pemberton, Liverpool.—Petition filed Dec. 28.

MEETINGS.

Thos. C. Jones, Blackfriars-road, Surrey, linendraper, Jan. 17 at 2, Court of Bankruptcy, London, pr. d.—A. A. Lackersteen and Wm. H. Crake, Moorgate-street, London, merchants, Jan. 17 at 2, Court of Bankruptcy, London, pr. d.—Wm. Carter, High-street, Southwark, Surrey, bootmaker, Jan. 17 at half-past 1, Court of Bankruptcy, London, last ex.

—Lyon Samuel, Bury-street, St. Mary-axe, London, silversmith, Jan. 25 at 12, Court of Bankruptcy, London, div.—N. Pattenden, Oxford, woollendraper, Jan. 28 at 1, Court of Bankruptcy, London, div.—Samuel Brown, Sunderland, Durham, common brewer, Jan. 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James N. Baker, Alton, Southampton, auctioneer, Jan. 29 at 12, Court of Bankruptcy, London.—Wm. Binder, Ossett, Essex, builder, Jan. 30 at 1, Court of Bankruptcy, London.—George Walker, Philpot-lane, London, merchant, Jan. 30 at half-past 12, Court of Bankruptcy, London.—Thomas H. Jolley, Farrington-st., London, fruit salesman, Jan. 30 at 2, Court of Bankruptcy, London.—George Langford, Southampton, grocer, Jan. 29 at 12, Court of Bankruptcy, London.—W. Shackel, Canning-place, Old-st., St. Luke's, Middlesex, bacon merchant, Jan. 29 at 11, Court of Bankruptcy, London.—Wm. Bennitt the younger, Worley Wigan, Worcestershire, brickmaker, Jan. 29 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Kirkland, Stockport, Cheshire, joiner.—W. Miller and Alex. Miller, Liverpool, wine merchants.

PETITION ANNULLED.

Robert Garton, Kingston-upon-Hull, shoemaker.

SCOTCH SEQUESTRATIONS.

Archibald, Brothers, Keilarsbrae, near Alloa, manufacturers.—Thomas Brown, Granton, near Edinburgh, iron merchant.—John Strathern, Glasgow, commission agent.—Wm. Cleland & Co., Glasgow, ironfounders.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Jas. Holdsworth, Bradford, Yorkshire, general-shop keeper, Jan. 24 at 11, County Court of Yorkshire, at Bradford.—John Binns, Wilsden, Bradford, Yorkshire, hawker of yeast, Jan. 24 at 11, County Court of Yorkshire, at Bradford.—James Ingham, Wilsden, Bradford, Yorkshire, weaver of stuff pieces by hand-loom, Jan. 24 at 11, County Court of Yorkshire, at Bradford.—Simon Hood, Ash-next-Ridley, Kent, out of business, Jan. 13 at 10, County Court of Kent, at Dartford.—James Twigger, Bedworth, Warwickshire, ribbon manufacturer, Jan. 28 at 11, County Court of Warwickshire, at Nuneaton.—James Smith, Colly Croft, near Bedworth, Warwickshire, coal miner, Jan. 28 at 11, County Court of Warwickshire, at Nuneaton.—Thomas P. Poor, Devonport, Devonshire, brushmaker, Feb. 27 at 11, County Court of Devonshire, at East Stonehouse.—James Grinling, Barton Mills, Suffolk, dealer in stone, Jan. 28 at 10, County Court of Suffolk, at Mildenhall.—Thos. Anthony Every, Falmouth, mercer, Jan. 11 at 11, County Court of Cornwall, at Falmouth.—Hannah Carpenter, Foleshill, Warwickshire, silk winder, Jan. 27 at 11, County Court of Warwickshire, at Coventry.—Wm. Carpenter, Foleshill, Warwickshire, ribbon weaver, Jan. 27 at 11, County Court of Warwickshire, at Coventry.—Robt. Kendrick, Wilmoote, Aston Cantlow, Warwickshire, pig dealer, Jan. 17 at 10, County Court of Warwickshire, at Alcester.—George Sheaf, Marl Cleeve, Bidford, Warwickshire, farmer, Jan. 17 at 10, County Court of Warwickshire, at Alcester.—H. Millward, Dagtail End, Feckenham, Worcestershire, tallowchandler, Jan. 17 at 10, County Court of Warwickshire, at Alcester.—George Shewring, Yatton Keynell, Wiltshire, carpenter, Jan. 22 at half-past 11, County Court of Wiltshire, at Chippenham.—Chas. Heward, Holme Woods, Almondsbury, Yorkshire, cloth manufacturer, Jan. 20 at 11, County Court of Yorkshire, at Holmfirth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 22 at 11, before the CHIEF COMMISSIONER.

James Perriam, Fulham, Middlesex, tailor.—John Bowers,

Denmark-st., St. George's-in-the-East, Middlesex, sailors' boarding-house keeper.

Jan. 22 at 10, before Mr. Commissioner LAW.

George Nicoll, Ryder's-court, Leicester-square, Middlesex, hairdresser.—George Parsons, Clarence-street, Rotherhithe, Surrey, coal weigher.

Saturday, Jan. 4.

The following Assignees has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Jones, Chapel Farm, Bryngwyn, Monmouthshire, farmer, No. 72,908 C.; Robert Jones, assignee.

Saturday, Jan. 4.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Clifton, Queen-st., Tower-hill, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—Thomas Taylor Saunders, David-st., Baker-street, Portman-square, Middlesex, carver and gilder: in the Debtors Prison for London and Middlesex.—Thos. Brandon Hawes, High Holborn, Middlesex, dairyman: in the Debtors Prison for London and Middlesex.—Edward Henry Taylor, Warren-street, Fitzroy-square, Middlesex, paperhanger: in the Debtors Prison for London and Middlesex.—John Hawes, High Holborn, Middlesex, potato dealer: in the Debtors Prison for London and Middlesex.—Spencer Percival Hampson, Jewin-crescent, Jewin-st., Cripplegate, London, auctioneer: in the Debtors Prison for London and Middlesex.—Thomas Craig, Upper Mitcham, Surrey, market gardener: in the Queen's Prison.—Wm. Caffyn, Oxford-st., Mile-end, Middlesex, bookseller: in the Debtors Prison for London and Middlesex.—Moses Levy, Camomile-st., Bishopsgate-st., London, furrier: in the Debtors Prison for London and Middlesex.—Jas. Walker Furness, High Holborn, Middlesex, baker: in the Debtors Prison for London and Middlesex.—Wm. Tomsey Creech, St. John-st., Clerkenwell, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—Frederick Cooke Clare, Montague-place, Hammersmith, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—Robert Lewick, Gloucester-street, Queen-square, Holborn, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—Wm. Sims, Gray's-inn-lane, Middlesex, labourer on the Eastern Counties Railway: in the Debtors Prison for London and Middlesex.—Walter Hawkins, Paris-st., Palace-road, Lambeth, Surrey, plasterer: in the Gaol of Horsemonger-lane.—William Heltier, Upper Sussex-place, Old Kent-road, Surrey, attorney's clerk: in the Debtors Prison for London and Middlesex.—James Dover, Manchester, mechanic: in the Gaol of Lancaster.—J. Hopkinson, White Abbey, Bradford, Yorkshire, labourer: in the Gaol of York.—Thomas Heath, Broom's Eaves, near Broom, in the Forest of Dean, Gloucestershire, labourer: in the Gaol of Gloucester.—Thomas Hayward, Latchingdon, Essex, wheelwright: in the Gaol of Springfield.—David Jones, Morgan-town, Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—Joseph Newall, Manchester, provision dealer: in the Gaol of Lancaster.—Maria Pyle, Overton, Hampshire, grocer: in the Gaol of Winchester.—Ann Pyle, Overton, Hampshire, milliner: in the Gaol of Winchester.—Joseph Shires, Hulme, Manchester, brazier: in the Gaol of Lancaster.—Thomas Vetherell, Manchester, manager at ale vaults: in the Gaol of Lancaster.—James Barwick, Little Snoring, Norfolk, cattle dealer: in the Gaol of Norwich.—Thomas Chadwick, Ancoats, Manchester, commission agent: in the Gaol of Lancaster.—William Parr, Exning, near Newmarket, Suffolk, grocer: in the Gaol of Cambridge.—Sam. Ravenscroft, Reading, Berkshire, fishing-tackle maker: in the Gaol of Reading.—William Mant, Chichester, Sussex, baker: in the Gaol of Petworth.—Thomas Fishburn, Brompton, near Northallerton, Yorkshire, labourer: in the Gaol of York.—Samuel Hearfield, Leeds, Yorkshire, carver: in the Gaol of York.—Herbert Playsted, Wadhurst, Sussex, grocer: in the Gaol of Lewes.—Edmund Perfect, Headley, Hampshire, carpenter: in the Gaol of Winchester.—Samuel Cannock the elder, Gloucester, farmer: in the Gaol of Gloucester.—William Winterburn, Leeds, Yorkshire, engine maker: in the Gaol of York.—Thomas Frederick Revell, Brighton, Sussex,

grocer: in the Gaol of Lewes.—John Kendall, Studley, Warwickshire, innkeeper: in the Gaol of Warwick.—Joseph Hinchcliffe Stevenson, Bishopwearmouth, Durham, miller: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 21 at 11, before the CHIEF COMMISSIONER.

George Cove, Strand, Middlesex, carpenter.—Thomas Hal-lows, Little Sutton, Turnham-green, near Chiswick, Middlesex, out of business.

Jan. 23 at 11, before Mr. Commissioner PHILLIPS.

Richard Butler, Market-street, Edgware-road, Paddington, Middlesex, coachsmith.—William Caffyn, Oxford-street, Mile-end, Middlesex, bookseller.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at the CASTLE OF WINCHESTER, Jan. 21.

Maria Pyle, Overton, grocer.—Ann Pyle, Overton, milliner.

At the County Court of Warwickshire, at COVENTRY, Jan. 27.

John Evans, Birmingham, lodging-house keeper.—Joseph Corbett the younger, Birmingham, canal carrier.—Thomas Beckett Wade, Birmingham, grocer's assistant.—Wm. Edkins, Birmingham, licensed victualler.

MEETING.

Benjamin Hastings, Catfield, Norfolk, land agent, Jan. 23 at 12, Crown Inn, Catfield, sp. aff.

FRIDAY, JANUARY 10.

BANKRUPTS.

THOMAS TOYNBEE, University-street, Tottenham-court-road, Middlesex, late of Boston, Lincolnshire, horse dealer, dealer and chapman, Jan. 24 and Feb. 21 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Plews, 14, Old Jewry-chambers.—Petition dated Jan. 9.

ALFRED WILLISHER, South Island-place, Clapham-road, Surrey, livery-stable keeper, dealer and chapman, Jan. 17 at 1, and Feb. 21 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Jones, 9, Quality-court, Chancery-lane.—Petition dated Jan. 4.

ALFRED MOORE, South-wharf, South-wharf-road, Paddington, Middlesex, stone and marble merchant, mason and paviour, Jan. 21 at half-past 1, and Feb. 21 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Vaughan, 12, Porteus-road, Paddington.—Petition filed Jan. 6.

JESSE SMITH, Kent-place, Old Kent-road, Surrey, cheesemonger, Jan. 22 at 2, and Feb. 18 at half-past 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. G. & E. Hilleary, 63, Fenchurch-street.—Petition filed Jan. 7.

WILLIAM CAVE CRANWELL, Ely, Isle of Ely, Cambridgeshire, potato merchant, dealer and chapman, Jan. 24 at 2, and Feb. 18 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. T. & G. Archer, Ely, Cambridgeshire; Pickering & Co., 4, Stone-buildings, Lincoln's-inn.—Petition filed Jan. 2.

CHARLES GEORGE JONES, late of Oxford-street, now at Elizabeth-street, Hans-place, Middlesex, licensed victualler, Jan. 21 and Feb. 18 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Grainger, 27, Bucklersbury.—Petition dated Nov. 12.

HANS CROSBY, Burnley, Lancashire, linendraper, dealer and chapman, Jan. 23 and Feb. 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Sale & Co., Manchester.—Petition filed Jan. 2.

GEORGE THOMAS ROLLASON, Birmingham, china and glass dealer, and GEORGE JAMES ROLLASON, Birmingham, brassfounder, Jan. 22 and Feb. 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Mottram & Co., and E. & H. Wright, Birmingham.—Petition dated Nov. 1.

MEETINGS.

John Tomkinson, Liverpool, and Runcorn, Cheshire, stonemason, Jan. 21 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*George Henry Beadle*, Sydenham, Kent, builder, Jan. 21 at 11, Court of Bankruptcy, London, ch. ass.—*William Francis Harris*, Friday-street, Cheshire, London, Manchester warehouseman, Jan. 21 at 11, Court of Bankruptcy, London, last ex.—*Alexander Black*, Wellington-street North, Covent-garden, Westminster, Middlesex, bookseller, Jan. 21 at 12, Court of Bankruptcy, London, last ex.—*William Keeping*, East-street, Walworth, Surrey, common brewer, Jan. 21 at 1, Court of Bankruptcy, London, last ex.—*William Harrison*, Tynemouth, Northumberland, merchant, Jan. 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*James Keon*, Ashton-under-Lyne, Lancashire, and *Thomas Harrison*, Stockport, Cheshire, cap manufacturers, Jan. 22 at 11, District Court of Bankruptcy, Manchester, last ex. of *T. Harrison*.—*James Honiball*, Ingram-court, Fenchurch-street, London, and Danston, Wickham, Durham, anchor manufacturer, Jan. 24 at half-past 11, Court of Bankruptcy, London, and. ac.; Jan. 31 at half-past 12, div.—*Lawrence Sothers* and *William Perritt*, Gravesend, Kent, grocers, Jan. 24 at half-past 11, Court of Bankruptcy, London, and. ac.; Jan. 31 at half-past 1, div.—*George Sharp* and *Robert Lillington Fluder*, Romsey, Southampton, timber merchants, Jan. 24 at 11, Court of Bankruptcy, London, and. ac. sep. est. of *Robert Lillington Fluder*; Jan. 31 at half-past 11, div.—*Wm. Abbott* and *Wm. Abbott* the younger, Bermondsey-st., Southwark, patent hair felt manufacturers, Jan. 24 at 11, Court of Bankruptcy, London, and. ac. sep. est. of *Wm. Abbott* the younger; Jan. 31 at 11, div.—*Alfred French*, East Grinstead, Sussex, plumber, Jan. 22 at 12, Court of Bankruptcy, London, and. ac.—*James Clarke*, Old Broad-st., London, coal merchant, Jan. 22 at 12, Court of Bankruptcy, London, and. ac.—*Noah Pattenden*, Oxford, woollendrapers, Jan. 24 at 12, Court of Bankruptcy, London, and. ac.—*Thos. Tuffield*, Hoxton Old-town, Middlesex, talowchandler, Jan. 24 at 2, Court of Bankruptcy, London, and. ac.—*Geo. Pratt* and *John Bodle*, Addison-road North, and Queen's-road, Notting-hill, Middlesex, builders, Jan. 20 at 1, Court of Bankruptcy, London, and. ac.—*Edward Brewster*, Hand-court, Upper Thames-st., London, printer, Jan. 30 at 11, Court of Bankruptcy, London, and. ac.—*Hen. Thurston*, Cheltenham, Gloucestershire, innkeeper, Jan. 31 at 11, District Court of Bankruptcy, Bristol, and. ac.; Feb. 3 at 11, div.—*Wm. Threlfall*, Addingham, Yorkshire, cotton spinner, Jan. 21 at 11, District Court of Bankruptcy, Leeds, and. ac.; Feb. 3 at 1, div.—*Wm. Drabbes*, Askern, Yorkshire, innkeeper, Feb. 3 at 12, District Court of Bankruptcy, Leeds, and. ac. and fin. div.—*Wm. Nelson Procter*, Manchester, cotton dealer, and *Philip Shaw Hyatt*, Stone, Staffordshire, farmer, Jan. 21 at 12, District Court of Bankruptcy, Manchester, and. ac.; Feb. 3 at 12, div.—*John Burbury*, Leek Wootton, Warwickshire, maltster, Feb. 3 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac.—*John Ball*, Martin's-lane, Cannon-st., London, merchant, Jan. 31 at 11, Court of Bankruptcy, London, div.—*Richard Andrews*, Kingsbury-green, Middlesex, victualler, Jan. 31 at 12, Court of Bankruptcy, London, fin. div.—*Wm. Jackson*, Lichfield, wine merchant, Feb. 1 at 10, District Court of Bankruptcy, Birmingham, and. ac. and div.—*Alex. Mitchell*, Cardiff, Glamorganshire, draper, Feb. 5 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Woods, Devonshire-road, Wandsworth-road, Surrey, builder, Jan. 31 at half-past 11, Court of Bankruptcy, London.—*Robert Devey*, Cornhill, London, confectioner, Feb. 4 at half-past 11, Court of Bankruptcy, London.—*Wm. King*, Gravesend, Kent, draper, Feb. 4 at 11, Court of Bankruptcy, London.—*Wm. Simpson*, Manchester, starch manufacturer, Feb. 3 at 12, District Court of Bankruptcy, Manchester.—*Wm. Huse*, Stockport, Cheshire, draper, Feb. 5 at 11, District Court of Bankruptcy, Manchester.—*Hen. Higgins*, Bilston, Staffordshire, grocer, Feb. 3 at half-past 10, District Court of Bankruptcy, Birmingham.—*Jonas Haley*, Batley Carr, Dewsbury, Yorkshire, machine maker, Jan. 31 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Robert Lavers, Southampton, grocer.—*Frederick La Mark* and *George La Mark*, Water-lane, Tower-st., London, ship brokers.—*Joseph Moore*, Hanover-st., Islington, Middlesex, victualler.—*Robert Barnard*, Carnaby-street, Golden-square, Middlesex, oilman.—*Matthew Flaig* and *John Alexander*, Bath, Somersetshire, watchmakers.—*J. Horsfield*, Wheelock, near Sandbach, Cheshire, coal dealer.—*John Turner*, Oldham, Lancashire, cotton spinner.—*Thomas Wren*, Preston, Lancashire, sharebroker.

PARTNERSHIPS DISSOLVED.

Henry Saunders and *George A. Bird*, Kidderminster and Stourport, Worcestershire, attornies and solicitors.—*John C. Symes*, *James Weston*, *John M. Teesdale*, and *Walter S. T. Sandilands*, Fenchurch-st., London, attornies and solicitors, (under the firm of Symes, Weston, Teesdale, and Sandilands).

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Archibald Menzies, Aberfeldy, Perthshire, hotel keeper.—*Henry G. Booth*, Row, Dumbartonshire, merchant.—*Alex. Law*, Burntbroom, Lanarkshire, farmer.—*Kenneth M'Kensie*, Rentonhall, tile manufacturer.—*Thomas Weatherston Tail*, Broadhaugh, near Chirnside, Berwickshire, farmer.—*William Little*, High Borgue, Borgue, Kirkcudbright, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Kennings, Tring, Hertfordshire, harness maker, Jan. 29 at 12, County Court of Buckinghamshire, at Aylesbury.—*Rebecca Peck*, Chesterton, Cambridgeshire, farmer, Jan. 27 at 10, County Court of Cambridgeshire, at Cambridge.—*Thomas H. Hopkins*, Sheerness, Isle of Sheppey, Kent, out of business, Jan. 20 at 10, County Court of Kent, at Sheerness.—*Wm. Hawkins*, Bournemouth, Dorsetshire, retailer of beer, Jan. 15 at 11, County Court of Gloucestershire, at Bristol.—*William Millner*, Benington, near Boston, Lincolnshire, harness maker, Feb. 4 at 10, County Court of Lincolnshire, at Boston.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 24 at 11, before the CHIEF COMMISSIONER.

Walter Loughurst, Queen-street, Chelsea, Middlesex, carpenter.—*James Willoughby*, Croydon, Surrey, carrier.

Jan. 24 at 10, before Mr. Commissioner LAW.

Marianne Wood, widow, Berners-street, Oxford-street, Middlesex, lodging-house keeper.

Jan. 25 at 11, before Mr. Commissioner PHILLIPS.

John James Rowland, Dover-place West, Old Kent-road, Surrey, tobacconist.—*H. Golding*, Commercial-road, Pimlico, Middlesex, coal merchant.—*John Cass Waller*, Belgrave-street, Commercial-road, Stepney, Middlesex, messenger at the Thames Police Court.—*Edward Eley*, Commercial-place, Kentish-town, Middlesex, out of business.

Jan. 27 at 10, before Mr. Commissioner LAW.

Daniel Cannon, Cheshunt, Hertfordshire, out of business.—*Innes Scott*, Turret-grove, Clapham Old-town, Surrey, clerk in the Admiralty, Somerset House.—*Charles Meers*, Shepherd's-court, May-fair, Middlesex, out of employment.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 24 at 11, before the CHIEF COMMISSIONER.

Wm. Quarterman, Cloudeley-square, Islington, Middlesex, and Newgate-street, London, printer.

Jan. 24 at 10, before Mr. Commissioner LAW.

Robert Levick, Gloucester-street, Queen-square, Holborn, Middlesex, blond joiner.

Jan. 27 at 10, before Mr. Commissioner LAW.

Jas. W. Furness, High Holborn, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at WARWICK, Jan. 24 at 10.

John Kendall, Studley, out of business.

At the County Court of Cambridgeshire, at CAMBRIDGE, Jan. 27 at 10.

E. Tell the younger, Witcham, Isle of Ely, agricultural machineman.—Wm. Ansell the younger, Cambridge, assistant to an upholsterer.

At the County Court of Sussex, at LEWES, Jan. 28.

Thos. F. Revell, Brighton, out of business.—H. Playsted, Wadhurst, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Jan. 30 at 10.

Thomas Heath, Broom's Eaves, near Broom, St. Briavel's, Forest of Dean, labourer.—H. T. Walker, Gloucester, master mariner.—S. Cannock the elder, Gloucester, out of business.—Thomas Davis, Littledean, labourer.

At the County Court of Yorkshire, at YORK CASTLE, Jan. 25 at 10.

W. Smith the younger, Doncaster, out of business.—David Jackson, Mirfield, near Dewsbury, card maker.—Wm. J. Hutchinson, Gales, near Richmond, attorney at law.—Joseph Booth, Birkby, near Huddersfield, out of business.—Joseph Twtton, Leeds, out of business.—Joseph Wood, Leeds, out of business.—John French, Bradford, out of business.—Jonas Crowther, York, joiner.—John Brook, Robert-town, near Leeds, shoemaker.—Thos. Briggs the elder, Kelfield, near York, out of business.—Wm. Wood, Leeds, shoemaker.—S. Hearfield, Leeds, out of business.—Thos. Fishburn, Brompton, near Northallerton, labourer.—John Hopkinson, Bradford, labourer.—Edward Russell, Snaith, near Selby, out of business.—Wm. Lawson, Nafferton, near Driffield, painter.

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The Jurist

No. 732—VOL. XV.

JAN. 18, 1851.

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LONDON, JANUARY 18, 1851.

THE order of a judge of a county court for the payment of a debt has lately been held to be in the nature of a judgment of a superior Court, and therefore not to require service. The facts of the case (*Ely v. Moule and Another*, 14 Jur., part 1, p. 1070) which raised the question were these:—A defendant in a county court having been summoned, and not having appeared, was ordered verbally by the judge to pay debt and costs forthwith. An order to this effect was served upon him on the same day, but it was after four o'clock, which was the hour at which the office closed where the money was to be paid. Execution issued, and an action of trespass was brought for the seizure of goods under it. The Court held that the defendant was entitled to a verdict.

The main ground of the decision was, that the order was a judgment, and not like a rule of court or an order of justices; that therefore, by analogy to a judgment of the superior Courts, no service of it was necessary, but that the suitors were bound to take notice of it whether they appeared or not. The Court also observed, that, by the 80th section of the Small Debts Act, 9 & 10 Vict. c. 95, a party who has been summoned is in the same situation as if he were actually present at the trial; and, by the 94th section, execution may issue in case of default in payment; that where service of proceedings is required, it is expressly mentioned, (as in sects. 59 and 122); and that although the 14th rule of practice in the county courts mentions the service of judgments amongst other process of the court, yet the rules in question are not to be considered as a judicial exposition of the County Courts Act, in the same manner as they are when matters are discussed in open court; and that the judges may have supposed there were cases in which the service of judgments might be required; and perhaps it would be so if the time of payment were varied after the making of the order, or a party were directed to do something on

notice of the judgment. It was also observed, that the debtor is not left unprotected, as the goods taken in execution are not to be sold until after the expiration of five days, during which time the debtor may redeem them by paying the debt. (Sect. 106).

This decision is quite consistent with the important principle, that no man shall be punished without having an opportunity of defending himself—a principle which was fully recognised and acted upon in another recent decision upon the proceedings in a county court. The case to which we allude is *Abley v. Dale*, (14 Jur., part 1, p. 1069), in which it was held by the Court of Common Pleas, that if a judge of a county court make an order on a defendant to pay a debt by instalments, and he make default, he has a right to be heard in his defence before he is committed, and that therefore an order of commitment upon non-payment cannot be embodied in an order to pay by instalments. The point arose in an action for false imprisonment, to which the defendant pleaded that he levied his plaint against the plaintiff in a county court, and recovered judgment for his debt, payable by monthly instalments; that, after some payments, the plaintiff made default, and was summoned to answer concerning his estate and effects; that he appeared and was examined, and thereupon, it appearing that he had sufficient means, the said court ordered that he should pay the remainder of the debt, with costs, by instalments, or that he should be committed to prison; that he again made default, whereupon a warrant issued &c. On special demurrer to this plea, the Court gave judgment for the plaintiff. Maule, J., observed, in the course of the argument, "Before an order is made for the committal of the debtor, ought he not to be summoned, and an opportunity given him to explain, if he can, why he has neglected to pay? No doubt, if he is ordered to pay forthwith, and he does not pay, he may be committed forthwith; but the act does not say that the judge may order him to pay at the expiration of a given time, and if he does not pay then, that he is to

be imprisoned without further inquiry. It might be, that although the judge was perfectly satisfied, and on good grounds, that the debtor would be able to pay at the end of six weeks, and made an order for him to pay then, yet, that when the day came, ample reason would be given to excuse the non-payment, and induce the judge not to commit." The counsel for the defendant cited *In re Hammersmith Rent-charge*, (4 Exch. 87), in which it was held, that, under the Tithe Commutation Act, a judge might order a writ to issue to the sheriff to assess arrears of rent-charge upon an *ex parte* application; but Maule, J., distinguished that case from the one before the Court, upon the ground that there the writ was civil process, but that here imprisonment was the penalty. Jervis, C. J., denied that the judge had power to make an order for committal, to take effect at a future period, upon the happening of some contingency. The decisions in *Ex parte Kinning* (4 C. B. 507) and *Kinning v. Buchanan* (18 L. J., C. P., 332) were held to govern the case before the Court.

Correspondence.

TO THE EDITOR OF "THE JURIST."

Sir,—Do me the favour to turn to the new Stamp Act, 13 & 14 Vict. c. 97, and refer to the schedule, under the head of "DUPLICATE OR COUNTERPART," and read the whole of that part of the schedule, including the proviso.

You will see, that, before an exchange of lease and counterpart can be effected, it will be necessary for the tenant to lend his landlord the counterpart of the lease, "duly executed," in order that such counterpart may be stamped with a denoting stamp, and thus made available for the landlord's ordinary protection. Can anything be more absurd than such a provision? What can be its object? Surely, the fact that a counterpart will be useless if not properly stamped (as has been the law up to the 11th October last, when stamps were really of pecuniary importance as well as of legal weight) would operate so as to make a landlord cautious in having such deed duly stamped—the more so, as his solicitor ordinarily does what is necessary in this respect; and, therefore, to impose such a task as is contained in this proviso is absurd.

It is, moreover, no difficult matter to state cases where every resistance would be offered to any such parting with the deed as is here required—I mean disagreement between the parties during the progress of the business, or a mortgage by a tenant, as in the case of a brewer's lease. A refusal to lend the deed involves the attendance of the solicitors of both parties at the Stamp-office, there to waste their time, and exhaust or try their patience, amidst the crowd of waiting law stationers.

I call your attention to this rare specimen of legislation, in order that it may attain to its required notoriety through your talented and useful journal, and thereby insure an alteration in the law as soon as the Parliament shall assemble.

Your faithful servant,

A CONSTANT READER.

[The old act contained no general provision for stamps on duplicates and counterparts; but there were special provisions respecting duplicates or counterparts of certain instruments. Thus, under the head "APPRENTICESHIP AND CLERKSHIP," it was provided, that "where there shall be *duplicates* or *two parts* of any such indenture," &c., and the *ad valorem* duty exceeds 3*s.*, the part kept by the master and mistress shall be

charged with a duty of 3*s.* only, and the parts "shall be respectively received in evidence accordingly"—that is to say, the part bearing the lower duty shall be admissible only when coming from the master's custody. This was considered to be a sufficient protection against fraud. It will be observed, that duplicates are here confounded with counterparts. The above provision did not extend to indentures of clerkship to attornies, &c., in respect of which there was merely the following clause—"and for any counterpart or duplicate thereof, 1*l.* 1*s.*."

Under the head "CONVEYANCE" it is provided, that "where there shall be *duplicates* of any deed or instrument chargeable with the said *ad valorem* duty exceeding 2*l.*, one of them only shall be charged therewith, and the other or others shall be charged with the ordinary duty on deeds or instruments of the same kind, not upon a sale; and on the whole being produced duly stamped as hereby required, the latter shall also be stamped with a particular stamp for denoting or testifying the payment of the said *ad valorem* duty."

The head "MORTGAGE" has a similar provision. Duplicates of deeds of EXCHANGE or PARTITION were expressly charged with the same duties as the originals.

The counterpart or duplicate of a LEASE was charged with a duty of 1*l.* 1*s.* where the *ad valorem* duty on the lease exceeded 1*l.*, and there was no provision for affixing a denoting stamp. A counterpart did not require a denoting stamp; but a duplicate was not admissible in evidence without proof that there was or had been an original duly stamped. (*Doe v. Smith*, 8 Ad. & El. 263).

The clause in the new act to which our correspondent refers charges a duplicate or counterpart of any instrument liable to stamp-duty with the same duty as the original, or 5*s.*, whichever is least, and it provides, that where the original is liable to a higher duty, the duplicate or counterpart shall not be available unless stamped with a particular stamp, denoting the payment of the full duty on the original, which particular stamp shall be impressed "on the same being produced, together with the original deed or instrument, and on the whole being duly executed, and duly stamped in all other respects." (See also the title "SETTLEMENT"). There are two absurdities in this provision: first, the requisition that both instruments shall be duly executed before the denoting stamp is affixed to the duplicate or counterpart, when it would have been sufficient for the protection of the revenue to require, as in the old act, the production of the original duly stamped; and, secondly, the requisition of a denoting stamp at all in the case of a counterpart, which, while it remains a mere counterpart, can never be made a substitute for the original, and as soon as it is converted into a duplicate, becomes inadmissible in evidence without proof that there was an original duly stamped. The old act allowed the imposition of a denoting stamp in certain cases, but did not render it imperative in any.

It will be observed that the new act places all counterparts and duplicates on the same footing; but we have been informed that this arrangement is not satisfactory to the officers of inland revenue, who ignore the possibility of there being a counterpart of any instrument except of a lease, and decline to affix the "duplicate or counterpart" stamp on a counterpart of any other instrument until it is made, as they express it, "a fac-simile" of the original, by being executed by all parties. We are not told whether, in case of a conveyance to uses to bar dower being executed in duplicate, they require both instruments to be executed by the nominal trustee.

While we are upon this subject we may mention one or two other absurdities in the new act.

The progressive duty on agreements is reduced to 2*s.* 6*d.*, but the provision in the old act, that where an

agreement is proved by divers letters, a stamp of 35s. on one of them shall be sufficient, is retained.

The ad valorem duty charged on various instruments in respect of the value of shares in a company, &c. is regulated, (in other cases than that of a conveyance on a sale), not by the value expressed on the instrument, but by the average price of such shares on the day of the date of the instrument, or on either [any] of the ten days preceding; or if there have not been any known sale on any of such days, then on the latest day preceding on which there shall have been a known sale. Who is the knowing individual whose knowledge is here referred to, and how his knowledge is to be proved on any occasion when the sufficiency of the stamp is disputed, does not appear. In the case of a conveyance, we have not even this mysterious man of information to resort to, but we must ascertain the actual last sale.

The duty on a bond or mortgage for securing 50*l.* is 1*s.* 3*d.*; the duty on a deed of covenant for the like purpose is 3*s.* But if the sum secured exceeds 1300*l.*, a deed of covenant is charged with the same duty as a bond or mortgage.

A settlement of 700*l.* only is charged with a duty of 1*l.* 15*s.*; a settlement of 605*l.* and of trinkets worth 50*l.* is charged with a duty of 3*l.* 10*s.*; a lease at a rent of 1*l.*, or an assignment of such a lease, is charged with a duty of 1*s.*; a lease of the same value, at a peppercorn rent, or an assignment of such a lease, is charged with a duty of 1*l.* 15*s.*

The following letter will show that there are also inconsistencies in the doctrine of what a former correspondent called "The New Court of Stamp Law at Somerset House:"—]

TO THE EDITOR OF "THE JURIST."

9, Lawrence-lane, Chapside,
Jan. 8, 1861.

Sir,—As it may be desirable that the practice of the officers at the Stamp-office, with respect to stamps upon assignments of leases, should be generally known, in order that the members of the Profession should be deterred from letting deeds be executed before they are stamped, I proceed to state what has recently happened to me.

On the 28th of last month I tendered at the office of the solicitor for stamps, to be marked for stamping, an assignment of leaseholds: the consideration thereby expressed to be paid was 10*s.* This was at once pronounced to be manifestly a nominal consideration. It was in vain that I stated (as the fact was) that the consideration, although apparently nominal, was not so, but that the assignors, being executors, were actually to account for such consideration, which must, therefore, pass. My offer to pay on that footing was refused. I was told that nothing short of a 35*s.* stamp would be impressed, the solicitor having determined that a common deed stamp must, in all such cases, be affixed. I refused to consent, intimating my intention to appeal, and brought my deed away unstamped. On reflection, however, I arrived at the conclusion, that submission was the better policy.

In case of appealing, a loss must have been suffered of at least 2*l.* 14*s.* 6*d.*, viz. 10*s.* for opinion fee, and 2*l.* 4*s.* 6*d.* for fee to counsel to argue the question, (being the least that could be given), to say nothing of the trouble.

There was also this additional reason—that the deed was one of a set of six entered into under one arrangement, and it required to be registered; it formed the foundation for another of the six, which latter also required to be registered, but of course could not be until that deed on which it was based were registered, and that could not be managed until it were stamped. Completion of the whole matter must, therefore, be suspended pending the decision of the question about

the 35*s.* stamp. Accordingly I submitted, and on the next day again sent up the deed, which was marked by the solicitor for a 35*s.* duty, for which I paid, and it was affixed.

On the first of this month I sent up another assignment of leasehold to be stamped. The consideration thereby expressed to be paid was 5*s.*, and was in reality but nominal: it did not, therefore, as in the case of the first-mentioned assignment, pass at all. On this occasion, however, the solicitor marked the deed for a 5*s.* stamp, which was accordingly paid for and impressed.

Now, I must confess that I cannot reconcile these two cases—they pass my comprehension altogether. Generally speaking, there is something like a pretence for the course pursued at the Stamp-office; but in one of the two instances I have mentioned, I cannot perceive, and I think it will puzzle any one else to detect, even the shadow of a pretence.

How, in the one case, a consideration of 10*s.* actually passing should necessitate a common deed stamp of 35*s.*, while, in the other case, a consideration of 5*s.*, not paid, required but a 5*s.* stamp, demands more penetration than has fallen to my share to determine; and I doubt whether others, except they happen to be in Somerset House, will be in any more fortunate condition.

I ought not to omit to add, that the rents recited in the assignments as reserved by the leases were respectively as follows—in the first case, 45*l.* per annum, and in the other, 47*l.* 5*s.*

Now, the provision in the Stamp Act, under the head "LEASE," is very clear:—

"LEASE. Any assignment or surrender of a lease or tack upon any other occasion than a sale or mortgage—a duty equal to the ad valorem duty with which a similar lease or tack would be chargeable under this act."

Surely, there cannot be a pretence for a 35*s.* stamp; but if there be, how came the 5*s.* stamp to be put on within four days of the 35*s.* being required? Whilst every allowance ought to be made for Government officers, who may err while displaying laudable zeal to protect the public revenue, the public have a right to demand something approaching to consistency, for, otherwise, such decisions as I have instanced savour much of injustice.

The Profession must not imagine that protection is given by the appeal clauses in the late act. On testing them, it is pretty evident that the remedy is worse than the disease. It is surely much better to leave the authorities at the Stamp-office no option but to take care that deeds are stamped before they are executed. The return of the 40*s.* deposit, leaving the appellant to pay the 10*s.* opinion fee, and all other expenses incurred by him, (the Queen paying no costs, however much her officers are to blame), is but small compensation.

I am, Sir, your obedient servant,
C. TEMPLER DEPREX.

Court Papers.

EQUITY CAUSE LISTS, HILARY TERM, 1861.

*. The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Rolls Court.

JUDGMENTS RESERVED.
Attorney-Gen. v. Dalton
Meddowcroft v. Campbell

Kynaston v. Lancaster and
Yorkshire Railway Co.
Whicher v. Hume

PLEAS AND DEMURRERS.

Dean and Chapter of Ely v. Gayford (6 Pls) *S O*
 Lewis v. Baldwin *S O*
 Minn v. Stant *S O*
 Brander v. Hall
 Allfrey v. Allfrey (3 causes, *E*)
 Grundy v. Lancashire & Yorkshire Railway Co. (2 Ds)
 Grandy v. Houldsworth (2 Ds)
 Dedman v. Ford (*E*)
 Stainton v. Chadwick (*E*)
 Brown v. Monmouth Railway Co. (D of debts. Anderton & ora.)
 Willis v. Child (*E*)
 Pulsford v. Richards (*E*, 2 sets)

CAUSES.

Stourton v. Jerningham *S O*
 Gas-light Co. v. Symonds (3 causes) *S O*
 Baynton v. Hooper *S O*
 Morgan v. Morgan (3 causes, *E*) *S O*
 Hele v. Bexley (5 causes, *F D*, *C*)
 Hargrave v. Hargrave (*F D*, *C*)
 Byrne v. Norcott
 Greasley v. Earl of Chesterfield (*F D*, *C*)
 Kewney v. Bradshaw
 Gregory v. Spencer
 Mount v. Mount
 Triston v. Hardy
 Duberly v. Day
 Attorney-Gen. v. Colegrave
 Mules v. Jennings
 Attorney-Gen. v. Churchill (3 causes, *F D*, *C*)
 Attorney-Gen. v. Mayor of Gloucester
 Lumden v. Morison
 Fiaher v. Hepburn (*F D*, *C*)
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 Massey v. Carvick }
 Betts v. Barrow
 Bush v. Watkins
 Bell v. Jones
 Bligh v. Great Western Railway Co.
 Davis v. Sampson
 Ross v. Ross
 Dunn v. Stokes (3 causes)
 Trye v. Corporation of Gloucester (F D, C)

Thorpe v. Duke (F D, C)
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 Duval v. Mount (*E*)
 Heaton v. Dale
 Leer v. Butterfield }
 Leer v. Edwards }
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 Bolton v. Powell }
 Howard v. Earle }
 Dellfosse v. Crawshaw (13 causes, *F D*, *C*)
 Lord Stuart v. London and North-western Railway Co. (*Cl*)
 Grundy v. Pinniger
 Reece v. Greene
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 Lord Crewe v. Robson
 Jackson v. Jackson (4 causes)
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 Read v. Strangways (3 causes, *F D*, *C*)
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 Jones v. Greatwood (*Cl*) *SA*
 Dudman v. Jordan } (*E*, *F D*, *C*)
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 Harris v. Mott (*Cl*)
 London & South-western Railway Co. v. Mansfield (*Cl*)
 Lord v. Wortley (*Cl*)
 Godson v. Turner

Clebury v. Turner (Ptn)
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 Earnshaw v. Earnshaw (*Cl*)
 Buckmaster v. Buckmaster (F D, C)

Hamilton v. Hamilton (F D, C)
 Prime v. Titchmarsh (F D, C)
 Minn v. Stant
 Hunt v. Hunt (F D, C)
 Bailey v. Ward (*Cl*).

London Gazettes.

TUESDAY, JANUARY 14.

BANKRUPTS.

THOMAS COX, Cambridge, chemist, druggist, dealer and chapman, Jan. 29 at 1, and Feb. 25 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Cockrell, Cambridge; Ravenscroft, 7, Gray's-inn-square.—Petition filed Jan. 13.

HENRY GLADWELL MORTIMER, Nayland, Suffolk, and JAMES MORTIMER, New Church-st. West, Paddington, Middlesex, builders, dealers and chapmen, (carrying on business in copartnership at Nayland, Suffolk), Jan. 28 at 2, and Feb. 25 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Shattock, 63, Coleman-st., City.—Petition filed Jan. 11.

EDWIN HOBBS, Brighton, Sussex, victualler, Jan. 25 at 12, and March 1 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Briggs, Brighton; Spinks, 39, Great James-street, Bedford-row.—Petition dated Jan. 2.

WILLIAM BELL HARRISON, Sunderland, Durham, draper, Jan. 23 and Feb. 21 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. J. J. & G. W. Wright, Sunderland; Sole & Turner, 68, Aldermanbury.—Petition filed Jan. 8.

JOSEPH HINCHSLIFFE STEVENSON, Sunderland, Durham, miller, dealer and chapman, Jan. 24 and Feb. 20 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Petition filed Jan. 9.

MEETINGS.

William Carter, High-st., Southwark, Surrey, bootmaker, Jan. 29 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Francis Harris*, Friday-st., Cheapside, London, Manchester warehouseman, Jan. 29 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Alex. Black*, Wellington-street North, Covent-garden, Westminster, Middlesex, bookseller, Jan. 29 at 12, Court of Bankruptcy, London, aud. ac.—*Samuel Alfred Warner*, Southampton-st., Strand, Middlesex, projectile manufacturer, Feb. 6 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Edward Brewster*, Hand-court, Upper Thames-st., London, printer, Jan. 30 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Parkes*, Canterbury, Kent, shoe manufacturer, Feb. 4 at 11, Court of Bankruptcy, London, div.—*George Henry Blake*, Mount-st., Grosvenor-square, Middlesex, cabinet maker, Feb. 4 at 12, Court of Bankruptcy, London, div.—*James Matthews*, Carshalton, Surrey, linendraper, Feb. 4 at 11, Court of Bankruptcy, London, fin. div.—*Christopher Green*, Beckford-row, Walworth-road, Surrey, coal merchant, Feb. 7 at 11, Court of Bankruptcy, London, div.—*Edward Tibbey*, Frith-st., Soho, Middlesex, diamond merchant, Feb. 6 at half-past 12, Court of Bankruptcy, London, div.—*Richard Knight*, Lewes, Sussex, butcher, Jan. 31 at half-past 12, Court of Bankruptcy, London, div.—*H. R. Hartley*, Ventnor, Isle of Wight, Southampton, hotel keeper, Jan. 31 at 12, Court of Bankruptcy, London, div.—*Wm. Elliott*, Petworth, Sussex, corn merchant, Jan. 31 at half-past 11, Court of Bankruptcy, London, div.—*Angus Macdonald* and *Archibald Campbell*, Regent-street, Middlesex, army agents, Jan. 31 at 1, Court of Bankruptcy, London, div. sep. est. of *Archibald Campbell*.—*Hen. Richd. Holloway*, Ryde, Isle of Wight, Southampton, bookseller, Feb. 7 at 1, Court of Bankruptcy, London, div.—*William Haslam*, Hertford, chemist, Jan. 31 at 12, Court of Bankruptcy, London, div.—*Richd. Green*, Brighton, Sussex, ironmonger, Jan. 31 at 12, Court of Bankruptcy, London, div.—*John Richard West*, Mill-wall, Poplar, Middlesex, block maker, Jan. 31 at 1, Court of Bankruptcy, London, div.—*Thomas Collingwood*, Nuneham Courtney, Oxfordshire, innkeeper, Jan. 31 at 11, Court of Bankruptcy, London, div.—*Joseph Donovan*, Oxford-st., Middlesex, fishmonger, Jan. 31

at 11, Court of Bankruptcy, London, div.—*Thos. Ashworth*, Liverpool, merchant, Feb. 6 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Westmore*, West Derby, near Liverpool, joiner, Feb. 4 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Gordon*, Gloucester, dealer in Berlin wools, Feb. 6 at 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Robert Dever, (and not *Devey*, as before advertised), Cornhill, London, confectioner, Feb. 4 at half-past 11, Court of Bankruptcy, London.—*S. A. Warner*, Southampton-street, Strand, Middlesex, projectile manufacturer, Feb. 6 at half-past 2, Court of Bankruptcy, London.—*A. Miller*, Emsworth, Southampton, ropemaker, Feb. 6 at 11, Court of Bankruptcy, London.—*Wm. Gibbs*, Throgmorton-street, London, stockbroker, Feb. 5 at 12, Court of Bankruptcy, London.—*Thos. Skam*, Claremont-terrace, and Penbury-place, Wandsworth-road, and York-cottage, York-road, Battersea, Surrey, builder, Feb. 5 at half-past 12, Court of Bankruptcy, London.—*Robt. Smith*, Liverpool, tavern keeper, Feb. 6 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Robt. Webb, Great Russell-street, Covent-garden, Middlesex, dealer in ham.—*Joseph Liddiatt*, Selsey-place, White Hart-grove, Chelsea, Middlesex, builder.—*Edw. Braddock*, Farringdon-street, London, glass merchant.—*S. Staniford*, Plymouth, Devonshire, innkeeper.—*Ezekiel Julian* and *John Julian*, New Buckingham, Norfolk, grocers.—*John William Edmonds*, High-street, Poplar, Middlesex, victualler.—*Jos. Warrey* and *James Biggs*, Aston, near Birmingham, wire manufacturers.

PETITION ANNULLLED.

Joseph Curi, East Winch, Norfolk, grocer.

SCOTCH SEQUESTRATION.

Andrew Smith, Paisley, coach builder.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Corbin the younger, Bishopstoke, Southampton, plasterer, Jan. 27 at 10, County Court of Hampshire, at Southampton.—*Geo. J. Etheridge*, Southampton, gentleman's servant, Jan. 27 at 10, County Court of Hampshire, at Southampton.—*Mary Clay*, widow, Colchester, Essex, lodging-house keeper, Jan. 27 at 12, County Court of Essex, at Colchester.—*Wm. Smith*, Whittlesey, Isle of Ely, Cambridge-shire, labourer, Jan. 25 at 11, County Court of Northampton-shire, at Peterborough.—*E. T. Spray*, Peterborough, higgler, Jan. 25 at 11, County Court of Northamptonshire, at Peterborough.—*Wm. Humby*, Charlotte's-place, Old-street-road, St. Luke's, Middlesex, out of business, Jan. 27 at 10, County Court of Hampshire, at Southampton.—*Wm. B. Hastings*, Longham, Norfolk, out of business, Feb. 8 at 10, County Court of Norfolk, at East Dereham.—*Thomas Hasdell*, North Walsham, Norfolk, farmer, Feb. 5 at half-past 11, County Court of Norfolk, at North Walsham.—*E. Willis*, Stalham, Norfolk, watchmaker, Feb. 5 at half-past 11, County Court of Norfolk, at North Walsham.—*John Chidderhouse*, Attleborough, Norfolk, farmer, Feb. 4 at 9, County Court of Norfolk, at Attleborough.—*James Walker*, St. Alban's, Hertfordshire, straw plait dealer, Jan. 29 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*T. Ward*, Hughendon, Buckinghamshire, out of business, Jan. 20 at 11, County Court of Buckinghamshire, at High Wycombe.—*C. Statham*, Holmer-green, Little Missenden, Buckinghamshire, farmer, Jan. 17 at half-past 12, County Court of Buckinghamshire, at Chesham.—*Edward Voorsanger*, Manchester, metallic pen manufacturer, Jan. 24 at 12, County Court of Lancashire, at Manchester.—*John Boyson* the younger, Wappenhams, near Towcester, Northamptonshire, publican, Feb. 3 at 12, County Court of Northamptonshire, at Towcester.—*Joseph Shepherd*, Stolford, Stogursey, Somersetshire, labourer, Feb. 12 at 9, County Court of Somersetshire, at Williton.—*Thomas Burt*, Alford, Lincolnshire, railway contractor, Feb. 5 at 10, County Court of Lincolnshire, at Spilsby.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 29 at 11, before the CHIEF COMMISSIONER.

Wm. Edmonds, Grange-walk, Hoxton, Middlesex, in-door messenger to the Court for Relief of Insolvent Debtors.—*James G. Shirley*, Brixton-hill, Surrey, livery-stable keeper.—*James Cannon*, South Lambeth-place, Surrey, lieutenant on half-pay in the late 3rd Garrison Battalion.

Jan. 29 at 10, before Mr. Commissioner LAW.

Robert Smith, Exmouth-street, Clerkenwell, Middlesex, greengrocer.—*Thomas Margrie*, Boundary-row, Blackfriars-road, Surrey, timber merchant.

Saturday, Jan. 11.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

John P. Jones, Hertford-cottages, Downham-road, Kingsland, Middlesex, out of business, No. 60,038 T.; *S. Crouch*, assignee.—*W. Jenkins*, Middle Queen's-buildings, Brompton, Middlesex, parliamentary agent, No. 61,912 T.; *James Miller*, assignee.—*Samuel Hoinville*, Hollybush-gardens, Bethnal-green, Middlesex, fancy trimming manufacturer, No. 61,914 T.; *Henry C. Hextall*, assignee.—*Wm. Cutress*, Winchester-place, Southwark-bridge-road, Surrey, builder, No. 61,916 T.; *Charles Ward*, assignee.—*Robt. Addyman*, Leeds, Yorkshire, woollen merchant, No. 73,145 C.; *John Burnley*, assignee.—*George Williamson*, York, bricklayer, No. 73,167 C.; *George Thomas*, assignee.—*Edward Powell*, Hendon, Liwos, Radnorshire, farmer, No. 72,927 C.; *Thomas Powell*, assignee.

Saturday, Jan. 11.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—
(On their own Petitions).

Thomas Monro, Bryan-place, Caledonian-road, Ialington, Middlesex, coachbuilder: in the Debtors Prison for London and Middlesex.—*Charles Sloane Crossley*, Addison-place, Brixton-road, Surrey, butcher: in the Debtors Prison for London and Middlesex.—*Catherine Harriet Vickers*, South Molton-st., Grosvenor-sq., Middlesex, in no business: in the Debtors Prison for London and Middlesex.—*C. Patterson*, Buckton-cottages, Stratford New-town, Essex, builder: in the Debtors Prison for London and Middlesex.—*William C. Jarvis*, Grey-terrace, Dover-road, Newington, Surrey, and St. Benet's-place, Gracechurch-st., London, general dealer: in the Queen's Prison.—*James Livermore*, Morgan-street, Tredegar-sq., Mile-end, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*George B. Parsons*, Brook-st., West-sq., Lambeth, Surrey, barrister's clerk: in the Gaol of Horsemonger-lane.—*Isabella MacLaggart*, Beivedere-place, Southwark-bridge-road, Surrey, and Strand, Middlesex, cheesemonger: in the Queen's Prison.—*Chas. Watts*, Spring-street, Portman-sq., Middlesex, servant to a cowkeeper: in the Debtors Prison for London and Middlesex.—*Abraham Levy*, Union-place, City-road, Middlesex, furrier: in the Debtors Prison for London and Middlesex.—*Mary A. Spouse*, widow, Woolwich, Kent, baker: in the Queen's Prison.—*Edw. Ashby*, Fetter-lane, Holborn, London, oil and Italian warehouseman: in the Debtors Prison for London and Middlesex.—*Wm. Tong*, Royal Mint-st., Tower-hill, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Hugh Wallis Smith*, Old-square, Lincoln's Inn, Middlesex, barrister-at-law: in the Queen's Prison.—*George Flintoff*, Fleet-street, London, bookseller: in the Debtors Prison for London and Middlesex.—*T. Bramhall*, Allstock, near Knutsford, Cheshire, farmer: in the Gaol of Chester.—*Thomas Blumer*, South Shields, Durham, joiner and builder: in the Gaol of Durham.—*Thomas Davis*, Littledean, Gloucestershire, labourer: in the Gaol of Gloucester.—*George Pollard*, Macclesfield, Cheshire, attorney-at-law: in the Gaol of Chester.—*Charles Love*, Farnborough, near Temple Cloud, Somersetshire, mason: in the Gaol of Wilton.—*Nelson Lees*, Manchester, cotton spinner: in the Gaol of Lancaster.—*Thomas Murray*, Newcastle-upon-Tyne, builder: in the Gaol of Newcastle-upon-Tyne.—*John Gaukrodger Pickersgill*, Crewe, near Nantwich, Cheshire, druggist: in the Gaol of Chester.—*John Wright*, Springfield, Lower Campsall, near

Manchester, bookkeeper: in the Gaol of Manchester.—*Thos. Kemp*, Birmingham, builder: in the Gaol of Coventry.—*Joseph William Morris*, Edgbaston, Birmingham, colour manufacturer: in the Gaol of Coventry.—*Thomas Plaisted*, Holyhead, Anglesea, blockmaker: in the Gaol of Beaumaris.—*Robert Lamb*, Manchester, bricklayer: in the Gaol of Lancaster.—*Sidney Milnes*, Huddersfield, Yorkshire, retailer of beer: in the Gaol of York.—*Elizabeth Thomas*, Troedyrheiw, near Merthyr Tydwl, Glamorganshire, publican: in the Gaol of Cardiff.—*William Boyes*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*George Carllose*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Henry Littlewood*, Manchester, machine broker: in the Gaol of Lancaster.—*Joseph M. Murray*, Liverpool, commission merchant: in the Gaol of Lancaster.—*Henry Simister*, Turton, near Bolton-le-Moors, Lancashire, dyer: in the Gaol of Lancaster.—*William Stout*, Millgate, Wigan, Lancashire, tailor: in the Gaol of Lancaster.—*Joseph Scott*, Sunderland-near-the-Sea, Durham, grocer: in the Gaol of Durham.—*Geo. Delaval Toulmin*, Ware, Hertfordshire, corn merchant: in the Gaol of Hertford.—*James Thomas*, Middlesbrough, Yorkshire, publican: in the Gaol of Durham.—*John Vasey*, South Shields, Durham, painter: in the Gaol of Durham.—*Samuel Fisher Williams*, Liverpool, attorney's clerk: in the Gaol of Lancaster.—*Thomas Findley*, Burton-moss, near Manchester, plasterer: in the Gaol of Manchester.—*George James*, West Witton, near Leyburn, Yorkshire, shopkeeper: in the Gaol of York.—*Samuel Simons*, Northampton, in no business: in the Gaol of Northampton.—*Watkin William Wynn*, Ebbw Vale Ironworks, Monmouthshire, carpenter: in the Gaol of Monmouth.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 28 at 11, before the CHIEF COMMISSIONER.

Stephen George Burridge, Clarendon-street, Windham-road, Camberwell-road, Surrey, tailor.

Jan. 30 at 11, before Mr. Commissioner PHILLIPS.

Jacob Dudden, Aldgate, London, woollen warehouseman.—*William Tomsey Creech*, St. John-street, Clerkenwell, Middlesex, out of business.—*John Thomas Benest*, Hemsworth-street, Hoxton Old-town, Middlesex, master mariner.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Jan. 27 at 10.

William Parr, Exning, near Newmarket, grocer.

FRIDAY, JANUARY 17.

BANKRUPTS.

JAMES KEELE and ROBERT JOHN BISDEE, Riches-court, Lime-st., London, merchants, (carrying on business under the firm of J. Keele & Co.), Jan. 24 and Feb. 25 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Jones, Sise-lane, London.—Petition filed Jan. 9.

JOHN PENFOLD, Marlborough-place, Old Kent-road, Surrey, wholesale grocer, commission agent, dealer and chapman, Feb. 4 at 2, and March 4 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Vallance, 12, Tokenhouse-yard, London.—Petition filed Jan. 16.

PETER MANCHEE, Curtain-road, Shoreditch, Middlesex, cabinet manufacturer, timber dealer, dealer and chapman, Jan. 28 and Feb. 27 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. May, 2, Prince's-street, Spitalfields.—Petition filed Jan. 11.

THOMAS NEWELL, Rhos-ddu, Colfryn, Llansanittfridd, Montgomeryshire, horse dealer, dealer and chapman, Jan. 30 and Feb. 20 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Yearsley, Welchpool; Rogerson & Radcliffe, Liverpool.—Petition filed Jan. 13.

WESTLY WALKER, Preston, Lancashire, chemist, druggist, and apothecary, Jan. 28 and Feb. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Blackhurst, Preston.—Petition filed Jan. 8.

JOHN JOWETT the elder, **JOHN JOWETT** the younger, and **JEREMIAH JOWETT**, lately carrying on business at Preston and Longridge, Lancashire, stonemasons, quarrymen, dealers and chapmen, Jan. 30 and Feb. 21 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Blackhurst, Preston.—Petition filed Jan. 18.

MEETINGS.

Philip Beyfus and Solomon Beyfus, Houndsditch, London, importers of French goods, Jan. 31 at 12, Court of Bankruptcy, London, last ex. of *S. Beyfus*.—*George Haines*, Northampton, grocer, Feb. 4 at 11, Court of Bankruptcy, London, last ex.—*Robert Bishop*, Vere-street, Oxford-street, Middlesex, hotel keeper, Jan. 28 at 11, Court of Bankruptcy, London, last ex.—*Henry Johnson*, Bishopsgate-st. Without, London, tea dealer, Feb. 7 at half-past 11, Court of Bankruptcy, London, and ac.; Feb. 14 at half-past 11, div.—*W. G. Shipley*, Market-row, Oxford-market, St. Marylebone, Middlesex, corn dealer, Feb. 10 at 2, Court of Bankruptcy, London, and ac.—*Morgan P. Edwards*, Tredegar, Monmouthshire, linendraper, Feb. 13 at 12, Court of Bankruptcy, London, and ac.—*William King*, Gravesend, Kent, draper, Feb. 4 at 11, Court of Bankruptcy, London, and ac.; Feb. 13 at 2, div.—*Robert Dever*, Cornhill, London, confectioner, Feb. 4 at half-past 11, Court of Bankruptcy, London, and ac.; Feb. 20 at 11, div.—*J. Butfield*, Newbury, Berkshire, grocer, Feb. 7 at 12, Court of Bankruptcy, London, and ac. and div.—*H. R. Holloway*, Ryde, Isle of Wight, Southampton, bookseller, Feb. 7 at 1, Court of Bankruptcy, London, and ac.—*Robert Westmore*, West Derby, near Liverpool, joiner and builder, Jan. 28 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Gaskill Johnson*, Liverpool, coal merchant, Feb. 10 at 11, District Court of Bankruptcy, Liverpool, and ac.; Feb. 11 at 11, div.—*Charles Davies Broughton and John Jasper Garnett*, Nantwich, Cheshire, bankers, Jan. 31 at 11, District Court of Bankruptcy, Liverpool, and ac.; Feb. 7 at 11, div.—*Wm. Sharman*, Hulme, near Manchester, builder, Jan. 30 at 12, District Court of Bankruptcy, Manchester, and ac.—*Jas. Priestley*, Radcliffe, Lancashire, cotton spinner, Jan. 28 at 12, District Court of Bankruptcy, Manchester, and ac.; Feb. 11 at 12, div.—*H. W. Moreton*, Newport, Monmouthshire, shipbroker, Feb. 7 at 11, District Court of Bankruptcy, Bristol, and ac.—*Richard Williams*, Bristol, undertaker, Feb. 6 at 11, District Court of Bankruptcy, Bristol, and ac.—*William Gordon*, Gloucester, dealer in Berlin wools, Jan. 30 at 11, District Court of Bankruptcy, Bristol, and ac.—*Thos. Whitmore Alport*, Bristol, ironmonger, Jan. 30 at 11, District Court of Bankruptcy, Bristol, and ac.; Feb. 11 at 11, div.—*Frederick Fleas*, Farndon, Nottinghamshire, miller, Feb. 7 at 10, District Court of Bankruptcy, Nottingham, and ac.—*John Erastus Molley*, Boston, Lincolnshire, tailor, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Thomas Martin*, Scarthing-moor, Weston, Nottinghamshire, miller, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Thomas Moore*, Derby, coachmaker, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*James Webster*, Leicester, engineer, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Thos. Thornton*, Newark-upon-Trent, Nottinghamshire, small-ware dealer, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Richard Fox*, Derby, stock dealer, Feb. 7 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Stephen Fisher and William Cliff Brown*, Newark-upon-Trent, Nottinghamshire, builders, Feb. 7 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Henry William Shipley*, Nottingham, lace manufacturer, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*John Collins*, Newark-upon-Trent, Nottinghamshire, linendraper, Feb. 7 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Richard Smith*, Hathern, Leicestershire, and Formark-park, Derbyshire, tanner, Feb. 14 at 10, District Court of Bankruptcy, Nottingham, and ac.—*Christopher Samuel Flood and Harry Buckland Lott*, Honiton, Devonshire, bankers, Feb. 12 at 11, District Court of Bankruptcy, Exeter, and ac.—*Stephen Davies*, Times-wharf, Pimlico, Middlesex, coal merchant, Feb. 7 at half-past 11, Court of Bankruptcy, London, fin. div.—*Saml. Martin*, Shoreditch, Middlesex, grocer, Feb. 7 at 12, Court of Bankruptcy, London, fin. div.—*Charles Rowland*, Horsham, Sussex, stonemason, Feb. 7 at half-past 11, Court of Bankruptcy, London, fin. div.—*Field Dunn Barker*, Cambridge, banker, Feb. 10 at 1, Court of Bankruptcy, London, div.—*James Porter*, High-street, Camden-town, Middlesex, upholsterer, Feb. 13 at 1, Court of Bankruptcy, London, div.—*R. Arthur*, Wilson-street, Finsbury, Middlesex, leather-seller, Feb. 10 at 12, Court of Bankruptcy, London, div.—*J. R. Webb*, Shaftesbury-crescent, Pimlico, Middlesex, commander in the Royal Navy on half-pay, Feb. 7 at 11, Court of Bankruptcy, London, div.—*Edmund Marks and William Char-*

ington, Commercial Sale-rooms, Mark-lane, London, malt factors, Feb. 7 at 11, Court of Bankruptcy, London, div.—*John Collingwood Ives*, Norwich, haberdasher, Feb. 7 at 11, Court of Bankruptcy, London, div.—*T. Weston Martin*, Oxford, tailor, Feb. 7 at 11, Court of Bankruptcy, London, div.—*Henry Sydney Brazier*, Oxford, tailor, Feb. 7 at 12, Court of Bankruptcy, London, div.—*James Cooper*, Newcastle-under-Lyne, Staffordshire, small-ware dealer, Feb. 10 at 10, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*Rich. Lewis*, Wootton-under-Edge, Gloucestershire, woollen manufacturer, Feb. 10 at 11, District Court of Bankruptcy, Bristol, div.—*Robert Owen*, Manchester, tailor, Feb. 12 at 11, District Court of Bankruptcy, Manchester, fin. div.—*George Woodward*, Doncaster, Yorkshire, gunmaker, Feb. 8 at 10, District Court of Bankruptcy, Sheffield, div.—*Wm. Ibbotson*, Sheffield, Yorkshire, merchant, Feb. 8 at 10, District Court of Bankruptcy, Sheffield, div.—*Henry Dawson Wilkinson*, Sheffield, Yorkshire, silver plater, Feb. 8 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Brooks, Winslow, Buckinghamshire, victualler, Feb. 10 at half-past 1, Court of Bankruptcy, London.—*Henry Wilkins*, High-st., Kensington, Middlesex, draper, Feb. 10 at half-past 11, Court of Bankruptcy, London.—*Theo. Gamson*, Mark-lane, London, corn factor, Feb. 10 at 11, Court of Bankruptcy, London.—*Jas. Porter*, High-st., Camden-town, Middlesex, upholsterer, Feb. 13 at 1, Court of Bankruptcy, London.—*Henry Richard Holloway*, Ryde, Isle of Wight, Southampton, bookseller, Feb. 7 at 1, Court of Bankruptcy, London.—*Jas. Butfield*, Newbury, Berkshire, grocer, Feb. 7 at 12, Court of Bankruptcy, London.—*Mary Ann Collinson*, Middle-road, Brixton, Surrey, milliner, Feb. 7 at 11, Court of Bankruptcy, London.—*Jos. Watkins*, Belmont-row, Vauxhall, Surrey, draper, Feb. 14 at half-past 1, Court of Bankruptcy, London.—*John Powell*, Upper Cahalva, Cilrow, Radnorshire, cattle dealer, Feb. 12 at 11, District Court of Bankruptcy, Bristol.—*Robert Storr*, Corby, Lincolnshire, grocer, Feb. 7 at half-past 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Samuel Adams and *Wm. Bridges Adams*, Bow, Middlesex, engineers.—*Geo. Clive Searle*, Tyndale-place, Islington, Middlesex, apothecary.—*Samuel Lock*, Stoke D'Auberton, Surrey, auctioneer.—*Richd. Bradshaw Burton* and *Geo. Bulpin*, Dublin, drapers.—*Henry Francis Ross*, West Cowes, Isle of Wight, Southampton, shipping agent.—*Charles Jones*, Llanfyllin, Montgomeryshire, grocer.—*T. Edwards*, Birmingham, ironfounder.—*J. Liptrott Findley* the younger, Birmingham, tailor.—*Michael Wilson*, Leeds, Yorkshire, grocer.—*Andrew Little*, York, draper.

PETITION ANNULLED.

John Rowbotham, Albion Mill, Sutton, near Macclesfield, Cheshire, silk manufacturer.

SCOTCH SEQUESTRATION.

Messrs. Logan Brothers, Tain, clothiers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Theo. Dickman, Sneinton, Nottinghamshire, tailor, Feb. 7 at 10, County Court of Nottinghamshire, at Bingham.—*R. Clark Sutton*, Arnold, Nottinghamshire, warehouseman, Feb. 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Thomas Milner*, Nottingham, licensed victualler, Feb. 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Thomas Haring*, Sonning, Oxfordshire, carpenter, Feb. 3 at 11, County Court of Berkshire, at Reading.—*Wm. Oxford Meadows*, Reading, Berkshire, hatter, Feb. 3 at 11, County Court of Berkshire, at Reading.—*James Blackall*, Henley-upon-Thames, Oxfordshire, butcher, Jan. 28 at 10, County Court of Berkshire, at Henley-upon-Thames.—*J. Harrison*, Wilksby, Lincolnshire, farmer, Feb. 5 at 1, County Court of Lincolnshire, at Horncastle.—*James Mathias*, Bristol, lathmaker, Jan. 22 at 11, County Court of Gloucestershire, at Bristol.—*John Fry Biddgood*, Bristol, licensed victualler, Jan. 29 at 11, County Court of Gloucestershire, at Bristol.—*John Palmer*, Eglwyscamm, Carmarthenshire, out of business, Jan. 25 at

10, County Court of Pembrokeshire, at Narberth.—*J. Mosley*, Finchbeck, Lincolnshire, retailer of beer, Feb. 5 at 12, County Court of Lincolnshire, at Spalding.—*John Bulmer*, Alford, Lincolnshire, farmer, Feb. 5 at 12, County Court of Lincolnshire, at Spalding.—*Wm. Armes*, Thurlby, Lincolnshire, brickmaker, Feb. 4 at 12, County Court of Lincolnshire, at Bourne.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 31 at 11, before the CHIEF COMMISSIONER.

Ebenezer Chas. Squirrel, Princes-road, Kensington, Middlesex, greengrocer.

Jan. 31 at 10, before Mr. Commissioner LAW.

Anne K. H. Louis, widow, Bernard-street, Middlesex, and Esplanade, Plymouth, Devonshire.

Feb. 1 at 11, before Mr. Commissioner PHILLIPS.

Charles Dalton, St. James's-wharf, St. James's-road, Old Kent-road, Surrey, stonemason.—*W. Nunn*, Sidney-terrace, Marlborough-road, St. Luke's, Chelsea, Middlesex, carpenter.

Feb. 3 at 10, before Mr. Commissioner LAW.

Geo. T. Easton, Albion-place, Little Chelsea, Middlesex, out of business.

Feb. 3 at 11, before Mr. Commissioner PHILLIPS.

Benj. J. Bowick, Assembly-row, Mile-end, Middlesex, clerk in the Superintendent's-office of the St. Katherine's Dock Company.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 31 at 11, before the CHIEF COMMISSIONER.

John Hartley, Brunswick-street, Hackney-road, Middlesex, printer.

Jan. 31 at 10, before Mr. Commissioner LAW.

Walter Hawkins, Paris-street, Palace-road, Lambeth, Surrey, plasterer.—*Charles Watts*, Spring-street, Portman-square, Middlesex, servant to a milkman.—*Catherine Harriet Vickers*, South Molton-street, Grosvenor-square, Middlesex, single woman, never in any business.

Adjourned.

George G. Lawrence, Compton-street, Upper-st., Islington, Middlesex, articulated clerk to an attorney.

Feb. 1 at 11, before Mr. Commissioner PHILLIPS.

Thomas Phillips, Upper Albany-street, Regent's-park, Middlesex, shoemaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hertfordshire, at HERTFORD, Jan. 31.

George D. Toulmin, Ware, corn merchant.

At the County Court of Devonshire, at EXETER, Feb. 1 at 10.

John B. Cross, Newton Abbott, Woolborough, baker.

At the County Court of Lancashire, at LANCASTER, Jan. 31 at 11.

Wm. Dunn Wheeler, Liverpool, attorney-at-law.—*Henry Barnett*, Manchester, general provision dealer.—*W. Statham*, Hulme, Manchester, engineer.—*George Ackers*, Winstanley, near Wigan, farmer.—*Wm. Walker*, Manchester, contractor for public works.—*Richard Lynch*, Manchester, shoe manufacturer.—*John Thackeray*, Ulverston, waller.—*P. Taylor*, Heath Villa, Broughton, Great Crosby, near Liverpool, out of business.—*Henry Littlewood*, Manchester, out of business.—*S. F. Williams*, Liverpool, attorney's clerk.—*Wm. Boyes*, Liverpool, out of business.—*Jos. Pomfret*, Poulton-le-Sands, near Lancaster, out of business.—*George Carlos*, Liverpool, out of business.—*John Woods*, Liverpool, attorney-at-law.—*Richard Brotherton*, Preston, out of business.—*Henry Simister*, Bolton-le-Moors, out of business.—*William Stent*, Wigan, tailor.

MEETINGS.

Henry J. W. Postlethwaite, South Molton-street, Oxford-street, Middlesex, Jan. 25 at 11, at the Court-house, Portugal-street, Lincoln's Inn-fields, London, pr. d.

WANTED, by a Gentleman, in a Solicitor's Office in the Country, a SITUATION as a MANAGING CLERK. The advertiser was admitted in Hilary Term, 1841, and has ever since that time been engaged in country offices. He is well versed in conveyancing, has been accustomed to magistrates' clerks' business, and would be found fully capable of conducting the general business of a country solicitor. Salary required not less than 100*l.* per annum. Apply to Messrs. Evans & Clode, 2, Gray's-inn-square.

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The Jurist

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JAN. 25, 1851.

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LONDON, JANUARY 25, 1851.

A VERY important case has been recently decided by Lord Cranworth, V. C., upon the 1 & 2 Vict. c. 110, (*Hawkins v. Gathercole*, 14 Jur., part 1, p. 1103), which, if rightly decided, appears to make clergymen's livings what they were not before the statute, viz. available securities for the advance of money.

Beyond all question, before the 1 & 2 Vict. c. 110, a clergyman's living could not be mortgaged or charged, in the ordinary way of mortgaging or charging other property. That point is too well settled to require any reference to authorities. Beyond all question, also, a warrant of attorney given by a clergyman to secure a debt, not professing to charge his living, was valid, and could be enforced against his living in this way—that judgment, being entered up under it, could be made the foundation of a sequestration issued out of the bishop's court, and by that sequestration the fruits of the benefice could be rendered subservient to the payment of the debt. In practice, such a security was so inconvenient as to be of itself unavailable, because priority as between several sequestrators depended, not upon priority of the judgment, but upon priority in publishing the sequestration: it followed, that unless a judgment creditor of a clergyman published his sequestration immediately, he could not be sure that a subsequent creditor might not obtain priority over him.

The point decided in *Hawkins v. Gathercole* is, that a judgment entered up under a valid warrant of attorney, given by a clergyman, is an equitable charge, under the 13th section of the stat. 1 & 2 Vict. c. 110, entitling the incumbrancer to a receiver; and if that is so, then it is as easy for a clergyman effectually to mortgage his living, as it is for any other person possessing a life interest in any other real estate to mortgage such his life interest.

The whole question turns upon the construction of the 13th section of the statute of Victoria, having regard to the terms of the 13 Eliz. c. 20; and, upon the construction of these two statutes, it may be thought that the decision of Lord Cranworth is open to very considerable doubt. The statute of Elizabeth makes all charges of any benefice (except as excepted) absolutely void. There is no doubt whatever upon the authorities, that the intention of that statute was to prevent any intentional charge, legal or equitable, in the nature of an estate carved out of a benefice. The statute left certainly subsisting all the legal rights which the possession of a judgment at law would give to the creditor; among them, that of founding upon it a sequestration, the only mode by which the proceeds of the living could be touched.

The 13th section of the statute of Victoria is expressed in rather peculiar language; the first branch of it enacts, that a judgment entered up against any person shall operate as a charge upon all lands, tenements, *rectories, advowsons, tithes*, rents, and hereditaments, of or to which such person shall at the time &c. be seised, possessed, or entitled, for any estate whatever, at law or in equity, &c., or over which such person shall, at the time of entering up such judgment, or at any time afterwards, have any disposing power, which he might, without the assent of any other person, exercise for his own benefit, &c.

The second branch enacts, that every judgment creditor shall have such and the same remedies in a court of equity, against the *hereditaments so charged by virtue of this act*, as he would be entitled to in case the person against whom judgment shall have been entered up had power to charge the same hereditaments, and had, by writing under his hand, agreed to charge the same, &c.

Now, if the statute had stopped at the first branch, would it be clear that it intended to apply to a bene-

fice? The language, although including rectories, advowsons, and tithes, does not necessarily apply to the profits of a living in the hands of the incumbent. All the words would be satisfied by holding them to apply to proprietary titles to the things named, unaccompanied with spiritual cure; and it is remarkable, that the only proper legal designation of the profits of a living in the hands of the spiritual incumbent, viz. the words "benefice with cure of souls," is not to be found in the statute—a strong reason for supposing that the Legislature did not mean to apply its enactment to such property, particularly having regard to the circumstance that such is the express language used in the statute of Elizabeth.

Again, the statute speaks of lands, &c. of which the judgment debtor is seised &c., or over which he possesses a disposing power, exercisable for his own benefit. Does not this language shew that the Legislature had in view estates of which the possessor had the control—that it is speaking of lands, &c. which the debtor has, in the sense of having a power of alienation over them, whether as owner or as appointor? The Legislature could not, of course, be ignorant of the statute of Elizabeth: it cannot be taken to have been unaware that by that statute a benefice could not be charged, nor that, by allowing a judgment to be an equitable charge on a benefice, it would be repealing the previous statute; and that being so, we submit, first, that unless the language of the statute of Victoria unavoidably applies to the subject-matter of the statute of Elizabeth, it ought not to be so read; secondly, that its language is capable of having a rational and complete meaning given to it, by confining it to rights of property unconnected with spiritual duties, particularly having regard to the circumstance mentioned, that benefices with cure are not in terms mentioned, and that neither tithes nor rectories necessarily mean tithes or rectories qua profits of a living accruing to the incumbent as such.

If the first branch of the clause does not include a benefice with cure, then no argument in favour of a judgment being a charge on a benefice, can be drawn from the second branch, because that branch only refers to the remedies, not to the rights. It gives to the judgment creditor, as against the hereditaments charged, the remedies therein specified; but if the hereditaments are not charged, within the meaning of the first branch of the section, the second branch gives the creditor no remedies as against such lands.

THE STAT. 12 & 13 VICT. c. 76.

An important question, arising out of a statute recently passed, the 12 & 13 Vict. c. 76, intitled "An Act to protect Women from fraudulent Practices for procuring their Defilement," came before the Court of Criminal Appeal on Saturday last, in the case of *Reg. v. Mary Ann Mears and Amelia Chalk*, which will probably be a precedent for several prosecutions against procurers and procuresses in different parts of the kingdom. The 1st section of the act provides, "that if any person shall, by false pretences, false representations, or other fraudulent means, procure any woman or child under the age of twenty-one years to have illicit carnal connexion with any man, such person

shall be guilty of a misdemeanour, and shall, being duly convicted thereof, suffer imprisonment for a term not exceeding two years, with hard labour."

The prisoners, Mary Ann Mears and Amelia Chalk, were indicted, at the borough sessions at Southampton, on the 7th January, 1851, for an attempt to procure the seduction of a girl aged fifteen years, named Johanna Carroll, and also with a conspiracy to effect the same object. The prosecutrix had been put out to service by the guardians of the poor, and having left her place on the 18th November last, the two prisoners induced her to accompany them home, Mears saying that she knew her father and mother, and that she would let the prosecutrix remain in her house, without paying anything, till she could get a place, and that she, Mears, would try and get a place for her. The house where the two prisoners lived was a house of ill-fame; and a day or two after the girl was in the house, they both attempted to persuade her to consent to prostitution. She refused to do so, at once left the house, and gave information which led to the prosecution.

Some doubt was thrown upon the two first counts of the indictment, inasmuch as the prisoners did not actually succeed in their object; but the Court were unanimously of opinion that the prisoners were properly convicted on the count charging them with a conspiracy; Lord Chief Justice Jervis remarking, that the crime with which they were charged was an offence punishable before the stat. 12 & 13 Vict. c. 76.

COURT OF QUEEN'S BENCH.

HILARY TERM.—14 VICTORIA.—Jan. 21, 1851.

This Court will, on Saturday the 1st day of February next, Monday the 3rd, Friday the 7th, Saturday the 8th, Monday the 10th, and five following days, hold sittings, and will proceed in disposing of the business now pending in the Special Paper, and the business now pending in the Paper of New Trials; and will also hold a sitting on Saturday, the 22nd day of February next, and give judgment in cases previously argued. The business taken will be the Country New Trials and the demurrers in the Special Paper, and any other appointed cases.

Cases or cases set down for appeal from the County Courts will be taken on Monday, the 17th day of February next.

BY THE COURT.

COURT OF EXCHEQUER.

HILARY TERM.—14 VICTORIA.—Jan. 22, 1851.

This Court will hold sittings on Monday the 10th day of February next ensuing, and on the four following days, namely, Tuesday the 11th, Wednesday the 12th, Thursday the 13th, and Friday the 14th days of February next ensuing, and on Wednesday the 26th day of February next ensuing, and will at such sittings proceed in disposing of the business then pending in the Paper of New Trials, in the Paper of Special Cases, and in the Paper of Demurrers; and also in giving judgment in all cases then standing for judgment.

FREDERICK POLLOCK.
J. PARKER.
E. H. ALDERSON.
T. J. PLATT.

Read in open Court—*E. Bennett.*

ON THE PRIVILEGE TO RESIST PRODUCTION OF DOCUMENTS IN A SUIT IN EQUITY.

(Continued from vol. 13, part 2, p. 42).

MOTIONS in court for the production of documents sought to be protected seem to be rather on the increase.

Some time since we endeavoured to deduce, from the recent cases on this subject, a few practical rules for the guidance of draughtsmen in claiming the privilege of withholding such documents as a defendant has a right to protect by statements in his answer. (See 13 Jur., part 2, p. 42).

We propose to consider the decisions reported subsequently to the publication of the paper alluded to, and to examine how far they are consistent with the rules we before submitted to the consideration of the Profession on this subject.

Preserving, for convenience, the former classification, we refer, first, to that ground of privilege which was before stated third in order, and which is, perhaps, the most important, and, as it seems from the reported cases, the most difficult to comprehend of all, viz. where the matters sought to be protected are documents or deeds forming part of the defendant's title exclusively, and not supporting the plaintiff's title, or the case made by his bill.

As to these, it seemed to us, that to protect them from production the defendant should state *positively* in his answer, or in affidavits in support of it, that the documents or deeds in question *form part of his title exclusively, and do not form part of the plaintiff's title, and that they do not support, by evidence or otherwise, the case made by the bill.*

It must be remembered, that to enforce discovery from parties to the suit is one of the most important peculiarities of equity jurisdiction; and it is not to be supposed that exceptional cases, in which this peculiar jurisdiction is to be restrained, will be lightly admitted. Now, the reason for exempting from discovery documents relating to the defendant's title only, is, as it seems, that where this can be truly sworn concerning them the production is of no sort of use to the plaintiff in the suit; and as it might be an injury to the defendant to permit an adverse claimant to inspect his documents of title, the Court will not order their production when it is satisfied that such production would be of no advantage to the plaintiff's title or to his claim against the defendant. But it follows, of course, that this ground for refusing production must be stated *positively*, and that the positive statement must be consistent with the whole tenor of the answer.

In a very recent case (*Peile v. Stoddart*, 13 Jur., part 1, p. 225) the statement was in the terms, "as the defendant is advised and verily believes;" and Knight Bruce, V. C., considered that this was not sufficiently positive—we presume, on the humorous old supposition, which every term renders more facetious, that every man is acquainted with the principles of law.

The Lord Chancellor, however, reversed his Honor's decision, (1 Mac. & G. 192), being of opinion, that, by this mode of answering, the defendant swore as to his belief, and that it was a more complete and effectual denial than any mere statement of the ground of privilege. His Lordship, however, seems to have considered, that a statement that the defendant "was advised, and therefore believed," might have been an important qualification of the averment of belief; which we leave to the judgment of those metaphysicians who are aware, that, in practice, it would probably never occur to any head that did not wear horse-hair to claim the privilege at all, much less to state properly the grounds of such a claim.

Of course, the statement of this ground of protection must be consistent with the rest of the answer; and here greater difficulty arises. It is not often that documents relating to the defendant's case can be said to relate in no way to the case of the plaintiff; and it is seldom very easy, even for the head entitled to the honourable covering before mentioned, to judge, when engaged for the defence, whether or not some of the mass of documents, which he has hardly time to read, and possibly knows best by their general description, are or are not, consistently with the whole of his defence, material to the case of the plaintiff. However, it seems scarcely necessary to say, that protection should not be claimed unless such a statement can be consistently, or in other words truly, made. The learned reader is referred again to the observations of Knight Bruce, V. C., on this point, in *Combe v. The Corporation of London*, (1 Y. & C. C. 651), and to a new case, (*The Attorney-General of the Prince of Wales v. Lambe*, 11 Beav. 213), in which the defendant's answer admitted certain deeds to be in his possession, but insisted that he was not bound to produce them, because they were his title-deeds to certain tenements, the subject of the suit, no part of which said tenements belonged to the plaintiff; and further stated, that the said deeds did not, nor did any or either of them, shew or tend to shew the plaintiff's title to the said tenements, or to any part thereof.

The suit was an information by the Attorney-General of the Prince of Wales, praying a declaration that the whole of the tenements in question, situate, with the exception of a specified portion, in Cornwall, were waste, of which the Prince of Wales was tenant in common with the defendant.

The Master of the Rolls said, that the claim to protection was stated in terms sufficient to entitle the defendant to the benefit of it; but he was of opinion, that other portions of the answer shewed ground for thinking that the plaintiff had probably a material interest in one of the deeds, notwithstanding the defendant's belief on the subject.

This deed was a conveyance, in 1829, by the then lord of the manor, of his manorial and other rights over the tenements, to the defendant; and if the lord was tenant in common with the Prince, as the information insisted, of part of the tenements, being waste, such tenancy in common must have passed to the defendant by the deed of 1829. The answer denied that any part of the tenements was then or ever manorial waste, but admitted that part was waste or uninclosed land, always attached to and forming part of the freeholds; and also that the land was under tin bounds, the tolls in respect of which belonged in equal moieties to the Duke of Cornwall and the said lord of the manor, and that it was an open question whether all lands bounded with tin bounds had or not at some time or other been waste. So that it was evident on the face of the answer, that this deed might contain matters in the Court's judgment very material to the plaintiff's case, which was, whether or not he had any tenancy in common with the defendant of manorial rights over the said tenements; and therefore its production was ordered.

Again, in *Peile v. Stoddart*, (13 Jur., part 1, p. 225; 1 Mac. & G. 192), where the bill was for discovery in aid of the plaintiff's defence to an action at law to recover damages for the breach of an alleged agreement, the defendant, by answer, denied the agreement, and admitted the possession of documents relating to the matters in the bill mentioned, and set forth a list of them, but denied that the truth of any of the matters in the bill mentioned would thereby appear, save as admitted in the answer; and stated that the documents were of great importance to the defendant's claim in the action, and were the evidence on which he intended mainly to rely therein, and that they did not, as the

defendant was advised and verily believed, contain any evidence whatever in support of, or tending to support, the plaintiff's pleas in the said action, and were not in any manner material to the plaintiff's case.

Some of the documents were letters of the plaintiff in equity to the plaintiff at law; none of the documents appeared on the face of them to relate to the alleged contract, nor was there any charge to that effect in the bill.

The Lord Chancellor thought the privilege well claimed, and that nothing was shewn to prove that the documents were material to the case of the defendant at law, and therefore they were protected.

In another case (*The Mayor of Berwick v. Murray*, 1 Mac. & G. 530) the bill prayed the payment of a certain sum of 2000*l.* The answer denied the plaintiff's title to the money, and admitted the possession of a document, being a deposit receipt of a certain bank, which gave the defendant the right to the 2000*l.*, but submitted that the defendant was not bound to produce this receipt; it does not seem to have stated any other ground of exemption.

It was argued that the receipt was a document of title, and was evidence of the defendant's title only, and not of the title of the plaintiff.

The Lord Chancellor did not order the receipt to be deposited, as that, in effect, would be at once depriving the defendant of the money it represented, but he allowed the plaintiff to inspect it and take copies.

The report does not shew the reasons for which the production was ordered: these were, perhaps, that the defendant had not formally claimed the privilege, for, from the nature of the document, it does not appear to have been important to the plaintiff's case; and, as the effect of it seems to have been admitted on both sides, there could be no reason for requiring its production.

Where the bill (*Dendy v. Cross*, 11 Beav. 91) was by a mortgagor against the transferee of the original mortgage, praying that a deed of security to him, which purported to be an absolute release of the mortgagor's right, should be set aside as fraudulent and void, and to redeem—as it appeared the bill did not allege that the deed would prove the fraud, production was refused. The case is very shortly reported, but the reason of the decision is obviously that the plaintiff's title or case was, that the deed was fraudulently obtained, and he did not profess that it would contain, on the face of it, any evidence of his case, but the presumption was, that it would not; and this might have been, and probably was, stated in the answer.

The Master of the Rolls said, that, by amendment of the bill and further charges, the plaintiff might possibly entitle himself to the production of the deed.

In a similar case (*Beadon v. King*, 17 Sim. 34) a bill was filed by a prebendary against the representatives of his predecessor, to recover the purchase-moneys of prebendal lands sold by him, and production was sought of the drafts of the different conveyances to purchasers not parties to the suit; these, being in the defendant's possession, were ordered to be produced, and the Vice-Chancellor intimated that the conveyances themselves, if they had been in the defendant's possession, would not have been privileged in this case, though no doubt they would if the bill had sought to impugn them, and production had been required against the purchasers claiming under them.

Of course, the drafts might have contained important evidence for the plaintiff as to the amount of the purchase-money which the bill sought to recover, and therefore could not be protected even if they had been necessary for the purposes of the defence, which does not appear to have been stated.

(To be continued).

London Gazette.

TUESDAY, JANUARY 21.

BANKRUPTS.

FREDERICK GEORGE JOHNS, late of Great Queen-street, and now of New-yard, Great Queen-street, Middlesex, medical and general fixture dealer, Feb. 1 at 12, and March 7 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Wright & Bonner, London-street, Fenchurch-street.—Petition dated Jan. 18.

LIONEL PRAGER GOLDSMID, King-street, Holborn, Middlesex, importer of watches, dealer and chapman, Feb. 4 at 1, and March 4 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Lewis, 14, Golden-square, London.—Petition filed Jan. 20.

PETER VAN DEN ENDE, Strood, near Rochester, Kent, woollapler and merchant, dealer and chapman, Feb. 1 at half-past 1, and March 1 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Wood, Falcon-street, London.—Petition dated Jan. 13.

JAMES LEMMON, Norwich, printer, bookbinder, and stationer, Jan. 28 at half-past 11, and Feb. 27 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Jay & Pilgrim, Norwich; Jay, Bucklersbury.—Petition filed Jan. 9.

WESTBY WALKER, (and not *Westly*, as before advertised), Preston, Lancashire, chemist, druggist, and apothecary, Jan. 28 and Feb. 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Blackburn, Preston.—Petition filed Jan. 8.

THOMAS LOCOCK the younger, Weston-super-Mare, Somersetshire, builder, dealer and chapman, Feb. 3 and March 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Nalder, Bristol.—Petition filed Jan. 18.

JOSEPH RAWLING, Selby, Yorkshire, shoemaker, dealer and chapman, Feb. 4 and 24 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Hawdon, Selby; Bond & Barwick, Leeds.—Petition dated Jan. 16.

WILLIAM HENRY CATTON and **CHARLES CATTON**, Milnsbridge, near Huddersfield, Yorkshire, dyers, dealers and chapmen, Feb. 4 and 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Higham, Brighouse; Bond & Barwick, Leeds.—Petition dated Jan. 16.

JAMES BELL, Leyburn, Yorkshire, draper and mercer, dealer and chapman, Feb. 7 and 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Robinson, Leyburn; Bond & Barwick, Leeds.—Petition dated Jan. 8; filed Jan. 10.

JOHN BLAIN, Liverpool, stationer, dealer and chapman, Feb. 3 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Jones, Liverpool.—Petition filed Jan. 17.

JAMES ROBINSON, Stanwix, Cumberland, cattle dealer, dealer and chapman, Feb. 5 and March 7 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Bandle & Co., Carlisle; Hozle, Newcastle-upon-Tyne.—Petition filed Jan. 9.

MEETINGS.

Joseph Ellis, Pontypool, Monmouthshire, victualler, Feb. 3 at 11, District Court of Bankruptcy, Bristol, estab. claims.—*William Smith*, Standard Saw-mills, Canal-road, Kingland, Middlesex, timber merchant, Jan. 31 at 11, Court of Bankruptcy, London, last ex.—*Robert Bruin*, Blaby, Leicestershire, baker, Feb. 7 at 10, District Court of Bankruptcy, Nottingham, last ex.—*Stephen Davies*, Times-wharf, Pimlico, Middlesex, coal merchant, Feb. 1 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Woodward*, Doncaster, Yorkshire, gunmaker, Feb. 1 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*William Ibbotson*, Sheffield, Yorkshire, merchant, Feb. 1 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Henry Dawson Wilkinson*, Sheffield, Yorkshire, silver plater, Feb. 1 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Jane Davis*, Walton-on-Thames, Surrey, builder, Feb. 11 at half-past 11, Court of Bankruptcy, London, div.—*Charles Henry Swann*, Sandford, John Swann, Wolvercote, and *William Swann*, Ensham, Oxfordshire, papermakers, Feb. 11 at 12, Court of Bankruptcy, London, div.—*George Hall* and *Francis Skelton Fell*,

Tynemouth, Northumberland, timber merchants, Feb. 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Benjamin Murray*, Stockton-upon-Tees, Durham, farmer, Feb. 13 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*George Watson*, Gateshead, Durham, bookseller, Feb. 11 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George A. Clare, Mount-street, Grosvenor-sq., Middlesex, house decorator, Feb. 12 at 11, Court of Bankruptcy, London.—*Alfred French*, East Grinstead, Sussex, plumber, Feb. 12 at 12, Court of Bankruptcy, London.—*Samuel Lavington*, Devizes, Wiltshire, grocer, Feb. 12 at 12, District Court of Bankruptcy, Bristol.—*George Hall and Francis S. Fell*, Tynemouth, Northumberland, timber merchants, Feb. 13 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Benjamin Murray*, Stockton-upon-Tees, Durham, farmer, Feb. 13 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Edward R. Arthur*, North Shields, Northumberland, shipowner, Feb. 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*E. Cardwell*, Manchester, sharebroker, Feb. 13 at 12, District Court of Bankruptcy, Manchester.—*John Davies*, Kington, Herefordshire, mercer, Feb. 13 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Robert Baker and Henry Davey, Bicester, Oxfordshire, drapers.—*Alfred Cranston*, Wimborne Minster, Dorsetshire, cabinet-maker.—*Henry Lloyd and Thos. Lloyd*, Carmarthen, drapers.—*Thomas Dyson*, Hardinge-terrace, Albert-street, Newington, Surrey, railway contractor.—*Thomas King* the younger, King's-terrace, East Greenwich, Kent, builder.—*Peter Playfair*, Warwick, innkeeper.—*Jas. Robinson*, Ripon, Yorkshire, surgeon.—*John Fawcett*, Kingston-upon-Hull, timber merchant.

PETITION SUPERSEDED.

Henry B. Muriel, Brighton, Sussex, chemist.

PARTNERSHIP DISSOLVED.

John Skeg, Great Malvern, and *Henry Sewell*, Upton-upon-Severn, Worcestershire, attorneys and solicitors.

SCOTCH SEQUESTRATION.

John Smart, Edinburgh, fisher.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Spackman, Liverpool, tailor, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*Thomas Kelly*, Kirkdale, Lancashire, commission agent, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*William Massey*, Liverpool, earthenware dealer, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*Richard C. Lloyds*, Liverpool, painter, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*Joseph Cowdell*, Liverpool, hatter, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*Patrick Treanor*, Liverpool, plasterer, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*Wm. Garner*, Liverpool, traveller, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*John Alcock*, Liverpool, commercial traveller, Jan. 27 at 10, County Court of Lancashire, at Liverpool.—*Geo. Robinson*, Bristol, tailor, March 12 at 11, County Court of Gloucestershire, at Bristol.—*Roderick M'Kenzie*, Bristol, carpenter, Jan. 26 at 11, County Court of Gloucestershire, at Bristol.—*Henry Twiss*, Aston, Warwickshire, carriage-lamp manufacturer, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—*George W. Taylor*, Birmingham, architect, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—*William Chattaway*, Birmingham, spoon polisher, Jan. 25 at 11, County Court of Warwickshire, at Birmingham.—*W. H. Podmore*, Coventry, Warwickshire, attorney-at-law, Jan. 25 at 11, County Court of Warwickshire, at Birmingham.—*R. Fifield*, Birmingham, wheelwright, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—*Samuel Underhill*, Birmingham, bricklayer, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—*Matthew Vickerman*, Salford, Almondsbury, Yorkshire, stonemason, Feb. 7 at 10, County Court of Yorkshire, at Huddersfield.—*George Newsome*, Rowley, Kirkheaton, York-

shire, provision dealer and fancy vesting manufacturer, Feb. 7 at 10, County Court of Yorkshire, at Huddersfield.—*William John Adam*, Matlock Bath, Derbyshire, printer, Feb. 5 at 11, County Court of Derbyshire, at Wirksworth.—*John J. Lukey*, Oxtou, Woodchurch, Cheshire, farmer, Jan. 31 at 10, County Court of Cheshire, at Birkenhead.—*Henry Sallows*, Semer, Suffolk, farmer, Feb. 4 at 11, County Court of Suffolk, at Hadleigh.—*Wm. Jerrens* the younger, Gainsborough, Lincolnshire, auctioneer, Feb. 10 at 9, County Court of Lincolnshire, at Gainsborough.—*Robt. Boardman*, Stockport, Cheshire, ironmoulder, Jan. 31 at 12, County Court of Cheshire, at Stockport.—*Thomas Belcher*, Sheffield, Yorkshire, butcher, Feb. 5 at 10, County Court of Yorkshire, at Sheffield.—*George Dean*, Sheffield, Yorkshire, out of business, Feb. 5 at 10, County Court of Yorkshire, at Sheffield.—*Wm. Cundy*, Sheffield, Yorkshire, out of business, Feb. 5 at 10, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 5 at 11, before the CHIEF COMMISSIONER.

Thomas Dewick, Drummond-street, Euston-sq., Middlesex, tailor.—*D. Catlin*, Broadway, Westminster, and Marlborough-road, Brompton, Middlesex, greengrocer.—*W. Bunny*, Devonshire-mews East, Portland-place, Marylebone, Middlesex, carpenter.—*Richard B. Barton*, South-st., Gray's-inn, Middlesex, barrister-at-law.

Feb. 5 at 10, before Mr. Commissioner LAW.

Isabella Inglis, Mount-street, Woolwich, Kent, beer-shop keeper.—*Henry Kebble* the younger, Walton-street, Chelsea, Middlesex, chemist.

Saturday, Jan. 18.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Ireland, Bradninch, Devonshire, innkeeper, No. 72,870 C.; *R. Bater*, assignee.—*Wm. J. Carlisle*, Clarence-st., Greenwich, Kent, printer, No. 72,395 C.; *S. T. Cooper*, assignee.

Saturday, Jan. 18.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Barnard, Haddon-court, Regent-street, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*John Holmes*, Union-street, Spitalfields, Middlesex, horse dealer: in the Debtors Prison for London and Middlesex.—*C. F. Higgins*, Weymouth-street, Portland-place, Middlesex, in no trade: in the Queen's Prison.—*John Hattell*, Winchester-row, Edgware-road, Middlesex, shopman to a cheese-monger: in the Queen's Prison.—*Wm. Carpenter*, Battersea-fields, Surrey, tavern keeper: in the Gaol of Horse-monger-lane.—*George Cramp*, High-street, Bloomsbury, Middlesex, carman: in the Debtors Prison for London and Middlesex.—*J. Strong*, Lamb's Conduit-passage, Red Lion-sq., Holborn, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Wm. Spratt* the elder, Portland-place, Clapton-sq., Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*W. Leidler*, Greville-street, Hatton-garden, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Wm. W. Ogbourne*, Terrace, Kennington-common, Surrey, auctioneer: in the Queen's Prison.—*John Edwards*, Edward-street, High-street, Deptford, Kent, iron merchant: in the Queen's Prison.—*R. Dry*, North-terrace, Westminster-road, Surrey, law stationer: in the Queen's Prison.—*Geo. Tyson*, Castle-street, Falcon-square, London, printer: in the Debtors Prison for London and Middlesex.—*Wm. Horsley*, Barking, Essex, mast maker: in the Queen's Prison.—*John Juckes*, Hunter-street, Brunswick-sq., Middlesex, engineer: in the Queen's Prison.—*Henry Wright*, Norland-road, Shepherd's-bush, Middlesex, plasterer: in the Debtors Prison for London and Middlesex.—*Geo. Ackers*, Orret's House, Winstanley, near Wigan, Lancashire, farmer: in the Gaol of Lancaster.—*Richard Brotherton*, Preston, Lancashire, organ builder: in the Gaol of Lancaster.—*H. Barnett*, Manchester, shopman to a flour dealer: in the Gaol of Lancaster.—*J. B. Crews*, Newton Abbott, Woolborough, Devon-

shire, baker: in the Gaol of St. Thomas the Apostle.—*James Hamill*, Liverpool, tailor: in the Gaol of Lancaster.—*John Stafford Hildred*, Skegness, Lincolnshire, linendraper: in the Gaol of Lincoln.—*John James*, Kidderminster, Worcestershire, cattle dealer: in the Gaol of Worcester.—*Frederick Kemp*, Sunderland-near-the-Sea, Durham, eating-house keeper: in the Gaol of Durham.—*Richard Lynch*, Manchester, shoe manufacturer: in the Gaol of Lancaster.—*Joseph Pomfret*, Poulton-le-Sands, near Lancaster, licensed victualler: in the Gaol of Lancaster.—*Thomas Sprod* the elder, Congresbury, Somersetshire, beerseller: in the Gaol of Wilton.—*Wm. Statham*, Hulme, Manchester, engineer: in the Gaol of Lancaster.—*Peter Taylor*, Brighton, Great Crosby, near Liverpool, licensed victualler: in the Gaol of Lancaster.—*John Thackreay*, Ulverston, Lancashire, waller: in the Gaol of Lancaster.—*William Walker*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Wm. Owen Wheeler*, Liverpool, attorney-at-law: in the Gaol of Lancaster.—*John Foster*, Allerton, near Bradford, Yorkshire, farmer: in the Gaol of York.—*John Woods*, Walton Bricklane, near Liverpool, attorney-at-law: in the Gaol of Lancaster.—*Wm. Coppard Banks*, Lee, Kent, builder: in the Gaol of Maidstone.—*Wm. Goodwin*, Chesterfield, Derbyshire, farmer: in the Gaol of Derby.—*J. Simpson* the elder, Stafford, fishmonger: in the Gaol of Stafford.—*Wm. Sanderson*, Seaham Harbour, Durham, joiner: in the Gaol of Durham.—*John Lloyd*, Fromanton, Marden, Herefordshire, farmer: in the Gaol of Hereford.—*Charles Pugh*, Gloucester, baker: in the Gaol of Gloucester.—*George Brown*, Lancaster, sawyer: in the Gaol of Lancaster.—*Wm. Hill Winmill*, Arundel, Sussex, out of business: in the Gaol of Petworth.

(On Creditor's Petition).

John Kittle Turner, Hereford, innkeeper: in the Gaol of Hereford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 4 at 11, before the CHIEF COMMISSIONER.

William Tong, Royal Mint-street, Tower-hill, Middlesex, licensed victualler.—*Thos. Brandon Hawes*, High Holborn, Middlesex, dairyman.—*Spencer Percival Hampson*, Jewin-crescent, Jewin-street, Cripplegate, London, travelling auctioneer.

Feb. 5 at 10, before Mr. Commissioner LAW.

George Morris Mitchell, Denbigh-place, Pimlico, Middlesex, coal merchant.—*Charles Waite*, Spring-st., Portman-square, Middlesex, servant to a milkman.

Feb. 6 at 11, before Mr. Commissioner PHILLIPS.

John Hawes, High Holborn, Middlesex, out of business.—*John Thomas*, Eagle-st., Red Lion-square, Holborn, Middlesex, dealer in coals.—*John Lee Gill*, Oakley-street, Lambeth, Surrey, confectioner.—*George Bernard Parsons*, Brook-st., West-square, Lambeth, Surrey, barrister's clerk.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Berkshire, at READING, Feb. 3 at 11.

Samuel Ravenscroft, Reading, fishing tackle maker.

At the County Court of Lincolnshire, at LINCOLN, Feb. 6.
John Stafford Hildred, Skegness, out of business.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Feb. 10 at 10.

James Barwick, Little Snoring, drover.

At the County Court of Staffordshire, at STAFFORD, Feb. 4 at 10.

John Simpson the elder, Stafford, fishmonger.—*J. Webb*, Burton-upon-Trent, tailor.

At the County Court of Kent, at MAIDSTONE, Feb. 4.

Wm. Coppard Banks, Lee, builder.—*Richard John Ross Ball*, Milton-next-Gravesend, pilot.

FRIDAY, JANUARY 24.

BANKRUPTCY.

JAMES HENRY LEMERE, Maldon, Essex, draper, Feb. 7 at half-past 1, and March 8 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Ashurst & Son, Old Jewry, London.—Petition dated Jan. 20.

GEORGE ROBERT GALLOWAY, formerly of West Smithfield, and afterwards of St. John-street, Middlesex, brush manufacturer and warehouseman, but now a prisoner in Whitecross-street Prison, London, Jan. 30 at 1, and March 6 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Broughton, Falcon-sq.—Petition filed Jan. 15.

JAMES MOSES BRIDGLAND, Phoenix-street and Denmark-street, Soho, Middlesex, pianoforte maker, dealer and chapman, Feb. 7 at 11, and March 8 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cox, Finer's-hall, City.—Petition dated Jan. 15.

SAMUEL LEE, Loughborough, Leicestershire, bookseller and stationer, dealer and chapman, Feb. 7 at 11, and March 7 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Gregory, Leicester.—Petition dated Jan. 16.

JAMES GRAHAM, Ardwick, Manchester, joiner and builder, Feb. 4 and 25 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Faulkner, Manchester.—Petition filed Jan. 18.

JOHN JOHNSON, Coventry, Warwickshire, wine and spirit merchant and ribbon manufacturer, Feb. 6 and March 6 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Brewett, Coventry.—Petition dated Jan. 23.

MEETINGS.

Wm. L. F. Tollemache, Keston and Lock's Bottom, Kent, and Penton Lodge, near Andover, Hampshire, horse dealer, Feb. 17 at 12, Court of Bankruptcy, London, ch. ass.—*Richard Northover*, Skinner-st., Bishopsgate-st., and Cheapside, London, lint manufacturer, Feb. 3 at 11, Court of Bankruptcy, London, last ex.—*Benjamin Tebbit*, Ventnor, Isle of Wight, Southampton, draper, Feb. 5 at 1, Court of Bankruptcy, London, last ex.—*James Smith*, Darlington, Durham, shoemaker, Feb. 13 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*James Priestley*, Radcliffe, Lancashire, cotton spinner, Feb. 4 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Jolley* and *Wm. Jackson*, Wigan, Lancashire, acetic acid manufacturers, Feb. 4 at 12, District Court of Bankruptcy, Manchester, last ex.—*Mary Ann Collinson*, Middle-road, Brixton, Surrey, milliner, Feb. 7 at 11, Court of Bankruptcy, London, aud. ac.—*Numa Berton*, Prince's-st., Hanover-sq., Middlesex, tailor, Feb. 11 at 11, Court of Bankruptcy, London, aud. ac.—*George Hall* and *Francis S. Fell*, Tynemouth, Northumberland, timber merchants, Feb. 11 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *Geo. Hall*.—*Edward R. Arthur*, North Shields, Northumberland, shipowner, Feb. 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Benjamin Murray*, Stockton-upon-Tees, Durham, farmer, Feb. 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. H. Veitch*, Durham, printer, Feb. 18 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Feb. 20 at 11, fin. div.—*Elizabeth Aydon* and *Thomas Wm. Ferguson*, Newcastle-upon-Tyne, grocers, Feb. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*J. Frampton*, Cerne Abbas, Dorsetshire, money scrivener, Feb. 5 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 19 at 11, div.—*William H. Pine*, Honiton, Devonshire, maltster, Feb. 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 20 at 1, div.—*George H. Way*, Martock, Somersetshire, out of business, Feb. 20 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*Charles Scott*, Constantine, Cornwall, scrivener, Feb. 19 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*James Dominy*, Sea, Ilminster, Somersetshire, currier, Feb. 5 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Feb. 19 at 11, div.—*Wm. Abbott* and *Wm. Abbott* the younger, Bermondsey-st., Southwark, Surrey, patent hair felt manufacturers, Feb. 21 at 11, Court of Bankruptcy, London, fin. div.—*John Roden*, Stamford, Lincolnshire, draper, Feb. 14 at 11, Court of Bankruptcy, London, div.—*Lewis Rudge*, Great Barford, Bedfordshire, apothecary, Feb. 18 at 12, Court of Bankruptcy, London, div.—*Samuel Browning*, Farringdon, Berkshire, nurseryman, Feb. 18 at half-past 12, Court of Bankruptcy, London, div.—*Robert Turner*, Worthing, Sussex, draper, Feb. 20 at 2, Court of Bankruptcy, London, div.—*Saml. Shephard*, Cullompton, Devonshire, merchant, Feb. 20 at 1, District Court of Bankruptcy, Exeter, div.—*William Oake*, Oldham, Lancashire, watchmaker, Feb. 18 at 12, Dis-

trict Court of Bankruptcy, Manchester, div.—*John Gorby*, Sheffield, Yorkshire, steel melter, Feb. 15 at 10, District Court of Bankruptcy, Sheffield, div.—*Joshua Woodward*, Loxley, Bradford, Ecclesfield, Yorkshire, paper manufacturer, Feb. 15 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Edward Brewster and Edward West, Hand-court, Dowgate, London, printers, Feb. 18 at 11, Court of Bankruptcy, London.—*John Williams and Walter Edward Rust*, Strand, Middlesex, booksellers, Feb. 15 at 1, Court of Bankruptcy, London.—*William Keeping*, East-street, Walworth, Surrey, common brewer, Feb. 14 at 1, Court of Bankruptcy, London.—*William Huntley*, Hart-street, Covent-garden, Middlesex, licensed victualler, Feb. 14 at 11, Court of Bankruptcy, London.—*Richard Groves Ward*, Brownlow-street, Drury-lane, Middlesex, coach carrier, Feb. 14 at half-past 1, Court of Bankruptcy, London.—*William Hammond Ambler*, Bishop Auckland, Durham, banker, Feb. 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Robert Arthur and Joseph Foster*, Newcastle-upon-Tyne, linendrapers, Feb. 18 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*William Lax*, Darlington, Durham, land surveyor, Feb. 20 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Frederick Brett*, Gateshead, Durham, tailor, Feb. 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Richard Batterby and James Telford*, Liverpool, ironfounders, Feb. 14 at 12, District Court of Bankruptcy, Liverpool.—*James Keon*, Ashton-under-Lyne, Lancashire, and *Thomas Harrison*, Stockport, Cheshire, cap manufacturers, Feb. 18 at 12, District Court of Bankruptcy, Manchester.—*Giles Bekerley*, Tyldesley, Lancashire, victualler, Feb. 18 at 12, District Court of Bankruptcy, Manchester.—*George Mortimer Smith*, Ironbridge, Shropshire, bookseller, Feb. 19 at 12, District Court of Bankruptcy, Birmingham.—*William Bradburn*, Sheffield, Shropshire, corn dealer, Feb. 24 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas Wesley, Newport Pagnell, Buckinghamshire, hotel keeper.—*John Savill*, St. Neot's, Huntingdonshire, draper.—*Agnes Ashcroft*, widow, Liverpool, shipowner.—*John Woodhouse*, Darlington, Durham, butcher.—*John Simpson*, Manchester, grocer.—*Thos. Wilson*, Hill-tops, near West Bromwich, Staffordshire, iron manufacturer.

PARTNERSHIP DISSOLVED.

William Bevan and Charles Bevan, Bristol, attorneys at law and solicitors.

SCOTCH SEQUESTRATIONS.

John Walker, jun., & Co., Glasgow, calico printers.—*Adam Corrie*, deceased, Greenwell, Dunscore, Dumfriesshire.—*George Paterson*, Tranent, Haddingtonshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Sansom, Ilmington, Warwickshire, in no business, Feb. 12 at 10, County Court of Worcestershire, at Shipston.—*Thomas Calvert*, Rochdale, Lancashire, moulder, Feb. 13 at 12, County Court of Lancashire, at Rochdale.—*Samuel Harris*, Hereford, livery-stable keeper, Feb. 13 at 10, County Court of Herefordshire, at Hereford.—*Samuel Jones*, Wednesbury, Staffordshire, shingler, Feb. 1 at 2, County Court of Staffordshire, at Oldbury.—*George Wood*, Wolverhampton, Staffordshire, out of business, Feb. 4 at 12, County Court of Staffordshire, at Wolverhampton.—*Henry Thomas Fluck*, Hereford, attorney-at-law, Feb. 13 at 10, County Court of Herefordshire, at Hereford.—*John Matthews*, Long Sutton, Somersetshire, hay dealer, Feb. 7 at 10, County Court of Somersetshire, at Langport.—*Albert Collins*, Canterbury, Kent, milliner, Jan. 30 at 10, County Court of Kent, at Canterbury.—*Robert James Holworthy*, Wimeswold, Leicestershire, carpenter, Feb. 10 at 10, County Court of Leicestershire, at Loughborough.—*Roger Fry*, Great Torrington, Devonshire, butcher, Feb. 7 at 10, County Court of Devonshire, at Torrington.—*Geo. Phillips*, Cheltenham, Gloucestershire, dealer in milk, Feb. 25 at 10, County Court of Gloucestershire, at Cheltenham.—*T. Butler*, Cramp-hill-bank, Darlaston, Staffordshire, gun-lock filer, Jan. 31 at 12, County Court of Staffordshire,

at Walsall.—*S. Marsh*, Walsall, Staffordshire, malleable iron-founder, Jan. 31 at 12, County Court of Staffordshire, at Walsall.—*Henry Clarkson and T. Clarkson*, White Lady Aston, Worcestershire, farmers, Feb. 13 at 2, County Court of Worcestershire, at Pershore.—*Robert Nicholson*, Tynemouth, Northumberland, lodging-house keeper, Feb. 14 at half-past 10, County Court of Northumberland, at North Shields.—*Benj. Garthwaite*, Gateshead, Durham, commission agent, Feb. 17 at 10, County Court of Durham, at Gateshead.—*Robt. Dobson*, Low Felling, near Gateshead, Durham, butcher, Feb. 17 at 10, County Court of Durham, at Gateshead.—*Thomas Cooper*, Norwich, licensed victualler, Feb. 11 at 10, County Court of Norfolk, at Norwich.—*Wm. Peck Reed*, Norwich, horsebreaker, Feb. 11 at 10, County Court of Norfolk, at Norwich.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 7 at 11, before the CHIEF COMMISSIONER.

Wm. Wilkey Matthews, South-st., Pentonville, Middlesex, carpenter.

Feb. 7 at 10, before Mr. Commissioner LAW.

Wm. Davies, Queen-street, Hammersmith, Middlesex, carpenter.—*Wm. Henry Headland*, Earl-st., Blackfriars, London, banker's clerk.

Feb. 8 at 11, before Mr. Commissioner PHILLIPS.

John Routledge, Horse and Groom-court, High-st., Newington, Surrey, out of business.—*John Hutchinson*, Granby-st., Mornington-crescent, Middlesex, coachmaker.—*Morgan Jones Williams*, Redcross-street, Mint, Borough, Southwark, Surrey, labourer.—*James Pocock*, Elizabeth-place, Brixton-hill, Surrey, plumber.—*Thomas Davis*, Newgate-market, City, butcher.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 7 at 11, before the CHIEF COMMISSIONER.

S. Lench the younger, Liverpool-st., Bishopsgate-st., London, tin-plate worker.—*F. C. Clare*, Montague-place, Hammersmith, Middlesex, not following any business.—*Wm. Heller*, Upper Sussex-place, Old Kent-road, Surrey, clerk to solicitors.—*Joseph Strong*, Lamb's Conduit-passage, Red Lion-square, Middlesex, tailor.—*James Bowditch*, Hall-st., City-road, Middlesex, clerk to an attorney.

Feb. 8 at 11, before Mr. Commissioner PHILLIPS.

Edward Ashby, Fetter-lane, Holborn, London, out of business.

Feb. 4 at 11, before the CHIEF COMMISSIONER.

Adjourned.

Thomas Bailey, Circus-street, St. Marylebone, Middlesex, currier.

Feb. 10 at 10, before Mr. Commissioner LAW.

Wm. Edw. Phelp, Queen-st., Golden-square, Middlesex, clerk in the Queen's Bench Rule-office.—*Limpus Hurst*, Oxford-terrace, Clapham-road, Surrey, temporary clerk in Somerset House.

Feb. 10 at 11, before Mr. Commissioner PHILLIPS.

Francis Joseph Antony Vansetter, Bushey-heath, Hertsfordshire, professor of languages.—*Wm. Roberts*, Charlotte-mews, Charlotte-street, Tottenham-court-road, Middlesex, farrier.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, Feb. 12 at 10.

Thos. Murray, Newcastle-upon-Tyne, builder.

Adjourned.

Geo. Jackson, Newcastle-upon-Tyne, commission agent.

At the County Court of Anglesey, at LLANGFNI, Feb. 12 at 11.

Thos. Plaisted, Holyhead, blockmaker.

At the County Court of Worcestershire, at WORCESTER, Feb. 12 at 10.

John James, Kidderminster, out of business.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Feb. 10 at 10.

James Woods, Great Yarmouth, out of business.—Robert Ransome, Stokesby, near Great Yarmouth, miller.

Adjourned.

Benjamin Hastings, Ludham, schoolmaster.

At the County Court of Kent, at DOVER, Feb. 10 at 10.

Dryden Elobob, Dover, of no business.

At the County Court of Lancashire, at MANCHESTER, Feb. 7 at 11.

Thomas Findley, Barton Moss, near Manchester, plasterer.

At the County Court of Glamorganshire, at CARDIFF, Feb. 8.

Elizabeth Thomas, Troedyrhiew, near Merthyr Tydvil, out of business.—Edward Griffiths, Swansea, farmer.

At the County Court of Durham, at DURHAM, Feb. 7.

George Davison, Castleide, near Shotley-bridge, publican.

—Joseph Scott, Sunderland-near-the-Sea, grocer.—Fredk.

Kemp, Sunderland-near-the-Sea, eating-house keeper.—Jas.

Thomas, Middlesbrough, Yorkshire, publican.—Thomas Bul-

mer, South Shields, joiner.—William Sanderson, Seaham

Harbour, joiner.—John Vasey, South Shields, painter.

GRAY'S INN, HILARY TERM, 1851.—The annual Voluntary Examination in Law of Students for the Bar is announced to take place in the Hall of this Society, with the sanction of the Benchers, in next Trinity Term, namely, on the 5th and 6th days of June. The competition for honours and for the Lecturer's Prize (a set of the Reports of Vesey, jun.) is restricted to those students who, from the present term to the time of examination, may be attending Mr. Lewis's lectures.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Dabbs, of Atherstone, Warwickshire; Griffith Williams, of Llywn, near Dolgelly, Merionethshire; John Chamberlain Barlow the younger, of Birmingham; Reginald William Templer, of Teignmouth, Devonshire; Frederick Isaac Welch, of Mosley; Everard Mylne, of Stafford; Robert Myers Wood, of Birmingham.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed William Jefferies Beckingsale, Gent., of Newport, in the Isle of Wight, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Hampshire.

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LONDON, FEBRUARY 1, 1851.

We are not aware what is the full extent of the powers of the Chancery Commissioners; but, if they extend so far, we should rejoice, if, among their recommendations, some were to be found for the abolition of such distinctions as that laid down in the case of *Jones v. Jones*, (3 Mer. 161), followed in the case of *Davenport v. Davenport*, (7 Hare, 217), and still more recently in *Webster v. The South-eastern Railway Company*, before Lord Cranworth, V. C., (15 Jur., part 1, p. 73).

The distinction warranted by these cases is this:—If one person, being in possession of land, with an admitted right of possessing the land, but with a disputed right of cutting the timber or committing other waste, does cut timber or commit waste, he may be restrained by injunction from so doing, because there is privy of title. If the party in possession is in possession under what is quaintly enough termed colour of title—that is, if he has an admitted title to enter, or to enter and hold, for some purposes, but the extent of the purposes is disputed—then also the Court of Chancery will exercise jurisdiction to issue an injunction restraining the party in possession from using the land in the way claimed, pending an inquiry into the extent of the right. Of this class of cases are the cases against railway companies, where, under their acts of Parliament, they are entitled to take lands for specified purposes, or under specified conditions. If a company takes land under its act, and the person from whom it takes the land, admitting that the company has a right to take the land under particular conditions or for particular purposes, complains that it has taken it, not complying with the conditions, or not for the lawful purposes, equity will stop the company (in a proper case on the merits) pending the decision as to the construction of the company's powers. But if

any party gets possession of my land, and my allegation is, that it is my land, and that he has no title whatever to be in possession, and he disputes my title, then he may cut timber, and commit every sort of waste, provided he does not carry away the whole substance of the land, and equity will not stop him. So that if the plaintiff admits the defendant's general title to possession—that is, admits that he has a great extent of right, and only disputes his title to do some particular acts—the Court will, on his behalf, interfere with the defendant. But if the plaintiff does not admit any right at all in the defendant, the Court will not hear of any interference with the defendant till the dispute is settled, when it may be too late to do any good.

The decision of Lord Cranworth, perfectly consistent, as we believe, with all the authorities, is a good specimen of the distinction in question. In that case a motion was made to restrain the defendants from keeping possession of, or entering upon or continuing in or upon, a piece or parcel of land, and also from using or interfering or meddling with the same, or committing waste or spoil thereon, or any part thereof. The bill was filed by Sir Godfrey Webster. The affidavit in support of it stated the plaintiff's title in these words—"That in the month of July, 1836, on the death of my father, the late Sir Godfrey Webster, I became seised of an estate of freehold for life, amongst divers other hereditaments, at Battle Abbey, in all that piece of land, containing a quarter of an acre, bounded north, south, east, west, [setting out the boundaries], described in the map exhibited as No. 155. And I further say, that since July, 1836, up to the present time, I have been and still continue seised of the said piece of land." The affidavit then stated, that the defendants obtained an act of Parliament for making their railway in 1838; that in 1840 a further act was obtained for making a branch line

through Tunbridge to Hastings, the compulsory powers of which lasted for three years, and expired in June, 1849. The affidavit went on to state, that in 1849 the company served a notice at Battle Abbey of their intention to take many pieces of land, part of the estate, which, however, did not include the one-fourth of an acre in question in the suit: that the plaintiff at that time was abroad on foreign service, and therefore the company caused those pieces of land to be valued by a surveyor &c., following the directions of the Lands Clauses Consolidation Act, sect. 86. The bill then alleged that some of the land in question had been assessed at an undervalue: that the plaintiff, on his return, objected to the valuation, but that nevertheless the company paid the amount into the bank, and proceeded under the powers of their act to take possession of the land so valued. The affidavit then stated that the plaintiff proposed to accept 2500% beyond the amount so valued: that the company refused to accede: that the plaintiff thereupon named an arbitrator to assess the value, and had given notice to the company to do the same, pursuant to the provisions of the statute. The bill then stated that the piece of land in question in the suit was not comprised in, and did not form part of, the lands and hereditaments mentioned in the notice left at Battle Abbey, and was not comprised in, nor did it form part of, the lands proposed to be taken by the company. The affidavit then proceeded:—"I further say, that on the 13th December, 1850, the company, without any license or consent on my behalf, wrongfully entered into and took possession of the piece of land in question for the purposes of the railway, not offering to make any compensation therefor." The bill then stated that the plaintiff was at that time absent from Battle Abbey, being in attendance, by authority, upon distinguished foreigners at Portsea: that he was not informed of the company's proceedings till the 16th December: that the act for the construction of the branch railway received the royal assent in 1846: and that the compulsory powers given thereby were then determined. The bill then prayed an injunction, but no other relief. Lord Cranworth refused the injunction, principally on the ground that the company did not claim to be in possession under their act, but under a title adverse to that of the plaintiff. Well, indeed, might Wigram, V. C., express his "surprise that the law should be in this state;" for, let us observe that the distinction on which the authorities proceed, is quite irrelevant to the nature of the interlocutory relief required. The relief required is not the determination of the final rights of the parties—it is the protection of the property, in respect of the uses of which the dispute arises, from such acts as will be injurious, and may be irremediably injurious, to the right of the plaintiff, if the right shall turn out ultimately to be his. Of what consequence can it be, with reference to the administration of this relief, whether the dispute is as to the right of cutting timber or knocking down a favourite building, admitting the right of the defendant to possess the land for other purposes; or whether it is as to his right primarily to possess the land, and incidentally to do the acts complained of? If a person, having a right to possess my land for the purpose of building on it in a par-

ticular way, but not for the purpose of knocking down a favourite building, does knock down the building, doubtless I suffer grievous wrong, and the Court rightly and justly prevents the commission of the act till the right to do it is determined. But do I suffer a less wrong, if the defendant, having no right to the possession of the land for any purpose, does the destructive act?

The distinction is purely technical, irrational, and mischievous. The whole principle of the interference of equity in cases of waste, and cases analogous to waste, is the prevention of acts, the right to do which is disputed, and the consequences of which, if wrongfully done, may not be capable of compensation in damages. Injury of this kind is just as fatal, and the propriety of the relief is just as great, where the right to have possession of the land is in dispute, as where the only dispute is as to the right to do the particular acts. The administration of the relief, in the cases in which it is administered, is most beneficial to the public, and we trust to see it extended to cases of the class of *Davenport v. Davenport*.

ON THE PRIVILEGE TO RESIST PRODUCTION OF DOCUMENTS IN A SUIT IN EQUITY.

(Continued from p. 24).

With respect to the title claimed, it is to be observed, that on a motion to produce documents of title belonging to the defendant, the plaintiff must shew from the answer such an admission of title in himself, or such a probability of title, as the Court can safely act on; otherwise a mere stranger might obtain production of such documents.

Thus, in *M^r Hardy v. Hitchcock*, (11 Beav. 73), where a freehold estate in certain hereditaments was vested by a deed in a trustee for sale, and the ultimate trust of the produce was for the next of kin of A. at the death of B., a bill was filed against the representatives of the deceased trustee, by a plaintiff, stating that she was the only surviving child of a deceased uncle of A. at the death of B., and, as she believed, A.'s sole next of kin; and if there were any other next of kin then living, the plaintiff stated that she was unable to discover them.

The answer stated, that the defendant believed that the plaintiff was unable to make out her claim as such sole next of kin of A., and that the defendant did not believe that the plaintiff was such sole next of kin, though who were the other next of kin at the death of B. the defendant did not know. The Court held that the answer did not contain a sufficient admission or inference of title to enable the plaintiff to obtain production of the trust deed, the letters of administration to the deceased trustee, and the accounts.

It must be observed, as Mr. Beavan very properly argued in this case, that none of the documents of which production was required could assist the plaintiff in shewing that she was such next of kin; and though it does not appear that protection was claimed by the answer, it might have been claimed, and the answer shewed this, as to the trust deed and letters of administration, on the ground of their being privileged as documents of title, in the terms above stated; and as to the accounts, for the obvious reason, that a mere stranger cannot require accounts from a trustee, this kind of relief pre-supposing the relation of trustee and cestui que trust between the defendant and plaintiff.

We proceed to notice rather more at length a very carefully decided case (*The Attorney-General v. The Corporation of London*, 12 Beav. 8) on this subject.

An information was filed against the corporation of London, claiming for the Crown the right to the bed or soil of the river Thames; stating an adverse claim in the corporation as conservators; charging a pretended grant to them, and their possession of charters, which they pretended recognised such grant, and denying both pretences; and seeking discovery of the manner in which the corporation made out their title and their claim of right to the bed or soil of the river.

The corporation, by their answer, denied the plaintiff's title, and claimed to have been immemorially owners of the land over which the river flows, and to have immemorially held the office of conservators.

They admitted the possession of deeds, charters, letters-patent, &c. relating to and touching the said right and title of the defendants to the freehold of the bed and soil of the said river Thames, and the enjoyments thereof; all which several deeds, &c. evidenced and shewed, or tended to evidence and shew, such right or title of the defendants as aforesaid, and formed material parts of the evidence possessed by the defendants of their aforesaid right and title; and all which were intended to be made use of and given in evidence by the defendants in support of their said right and title in this cause; and none of which several charters, &c., as the defendants were advised and believed, evidenced or tended to shew or prove the pretended or alleged right of the Crown set up in the information; nor would the informant derive any proof in support of his case from the production of such deeds, &c., or any of them; and the defendants stated that they could not set forth a list specifying such deeds, &c., without, as they were advised and believed, disclosing the nature of the evidence on which they intended to rely as proof of their aforesaid title, and they refused production.

The Master of the Rolls, however, compelled discovery, on the ground that the office of conservator was a fiduciary office, granted originally by the Crown, and imposing on the holder of it the duty of so exercising it as to protect, and not encroach upon, the rights of the Crown; and that there was no authority for saying that the grantor of an office, the duties of which are performed upon land originally belonging to him, is not entitled to compel the grantee of the office, claiming the land, to discover the means by which he has, (as he alleges), during his exercise of the office, become entitled to the land or the property upon which the authority to grant the office depends.

On appeal the Lord Chancellor affirmed this decision, but, as he intimated, not altogether following the reasoning of the Master of the Rolls. (2 Hall & T. 1; 14 Jur., part 1, p. 205).

His Lordship, in effect, said that the defendants claimed protection on the ground of the documents being evidence of their title, without having in truth set up any title, in the sense and meaning of that term for the purpose of the privilege. The title of the defendants was, in fact, merely a denial of the plaintiff's title. Then, as to the documents, the defendants admitted their relevancy to the subject-matter stated in the information, and took upon themselves to say, that they believed they did not contain evidence of or tend to shew the plaintiff's title. This form of pleading, without doubt, entitled the plaintiff to have a list of the documents; and his Lordship said, that if the statement of the defendants' belief were to protect them, a plaintiff would never get a discovery of any documents. The defendants were not to withhold the documents and all information, and answer to particular inquiries relating to their contents, and constitute themselves the judge in their own case, whether the documents would or would not prove the plaintiff's case. Even if they had set out a title, they were not to withhold all information as to what these documents were, or whether there were any such at all.

The whole judgment is very instructive as to the principles upon which equity enforces discovery; it is so long, that we can only give a very imperfect abstract of parts of it.

The statement it contains of the general rule is, that a defendant is not bound to produce the evidence of his title as a matter of pleading; but if he intends to protect it, he is bound to negative that which the bill alleges such a document to contain, so far as it would be evidence of the plaintiff's title.

We submit that the principle of the decision was, that the claim for protection was not supported by the rest of the answer.

The Crown claimed, as a general right, the bed of all navigable rivers, and of the Thames in particular. The defendants' answer did not deny, but submitted to the judgment of the Court, the general right; but denied the right of the Crown to the bed of the Thames, and claimed it for themselves, without shewing any title, and refused discovery. Now, as the original right of the Crown was not denied, it followed that the title of the defendants, if any, must have been derived by grant from the Crown. The plaintiff's case was simply, that the defendants' deeds, charters, &c. did not confer or recognise any such right; and it was essential to the plaintiff's case to see whether they did or not. The defendants would not answer distinctly as to this fact, and therefore they could not protect themselves from producing the deeds, charters, &c. for the plaintiff's inspection.

If the defendants had said that the charters did confer or recognise the right, they would have made them thus their own title-deeds, and set up a title of which the deeds were evidence; and then, *prima facie*, they might have claimed a right to withhold them, as a purchaser may protect his purchase deed.

If, on the other hand, they had admitted that the deeds did not confer or recognise the disputed right, that would have established an important point in the plaintiff's case, and he would have had no further interest in requiring the production of the deeds in question.

Without answering in one of these two modes, they could not, according to our above-stated rule, entitle themselves to claim the privilege.

It is an important question, whether the evidence collected by a defendant for the purposes of his defence in the suit is entitled to protection.

Leaving out of consideration at present other grounds of protection for such evidence—as, for example, the possibility of parts of it being within the rule which privileges matters communicated under the seal of professional confidence—we confine ourselves to the bare inquiry, whether or not evidence collected for the defence is protected on the ground of its relating to the defendant's title.

The last case furnishes the general rule.

A defendant is bound to shew his title to the subject of the suit, but not the evidence in support of it.

But we submit that the same case also shews that the necessary restriction of this general rule is as we have stated it, and that evidence collected expressly for the defence is precisely in the same position, with respect to privilege on the ground of title, as documents, &c. in the defendant's possession; in short, that to protect it the defendant must state truly and positively that such evidence relates to his own title exclusively, and does not support the plaintiff's title, or the case made by his bill.

A case has just been heard by Lord Cranworth, (*Broadhurst v. Balguy*, MS., Jan. 10, 1851), in which this question was raised. His Lordship compelled the defendant to set forth a list of the matters of evidence, (see 1 Sim., N. S., 111), and to produce such of them as were not within the privilege allowed to confidential communications.

COURT OF COMMON PLEAS.

HILARY TERM.—14 VICTORIA.—Jan. 24, 1851.

This Court will, on Thursday, the 20th day of February next, hold a sitting, and will proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

JOHN JERVIS.

London Gazettes.

TUESDAY, JANUARY 28.

BANKRUPTS.

JAMES HAYWARD, Oxford-street, Whitechapel, Middlesex, watchmaker and silversmith, Feb. 11 at 12, and March 4 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Henderson, 28, Mansell-street, Goodman's-fields.—Petition filed Jan. 25.

RICHARD JAMES JOHNSON, Wellington-street, Woolwich, Kent, plumber, painter, glazier, gasfitter, house decorator, dealer and chapman, Feb. 4 at 11, and March 6 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Willoughby & Cox, Clifford's-inn.—Petition filed Jan. 24.

WILLIAM WATERMAN, Sheffield, Yorkshire, grocer and tea dealer, dealer and chapman, Feb. 22 and March 22 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Chambers, Sheffield.—Petition filed Jan. 25.

MICHAEL M'DONNELL, Liverpool, licensed victualler and passenger broker, Feb. 10 and March 3 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Bretherton, Liverpool.—Petition dated Jan. 15.

SAMUEL HAMILTON WATSON and JOHN KINGSTON, Rochdale and Burnley, Lancashire, mercers and drapers, (trading under the firm of Watson & Kingston), Feb. 7 and 28 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Sale & Co., Manchester.—Petition filed Jan. 20.

WILLIAM THOMPSON, Newcastle-upon-Tyne, grocer and tea dealer, Feb. 13 and March 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hodge, Newcastle-upon-Tyne; Wareing, Liverpool; Sudlows & Co., 38, Bedford-row, London.—Petition filed Jan. 25.

MEETINGS.

John D. Teesdale, Boston, Lincolnshire, horse dealer, Feb. 7 at 10, District Court of Bankruptcy, Nottingham, last ex.—*John Jackson* the younger and *Peter Jackson*, Heaton Norris, Lancashire, drapers, Feb. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*John Moulton*, Manchester, timber merchant, Feb. 10 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. N. Dalhan*, Cannon-street-road, Middlesex, ironmonger, Feb. 8 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*J. Woodward*, Ecclesfield, Yorkshire, paper manufacturer, Feb. 8 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*R. Rowlatt*, West Smithfield, London, licensed victualler, Feb. 21 at 11, Court of Bankruptcy, London, div.—*Benj. Tebbit*, Ventnor, Isle of Wight, Southampton, draper, Feb. 21 at half-past 11, Court of Bankruptcy, London, div.—*W. Goode* the younger, Monmouth, linen draper, Feb. 18 at 11, Court of Bankruptcy, London, div.—*Thos. R. Waters*, Towcester, Northamptonshire, licensed victualler, Feb. 14 at 11, Court of Bankruptcy, London, div.—*Thos. Rowan*, Cambridge, draper, Feb. 18 at 12, Court of Bankruptcy, London, div.—*James Johnson*, Salford, Lancashire, timber merchant, Feb. 19 at 11, District Court of Bankruptcy, Manchester, fin. div.—*T. Hampson*, Liverpool, broker, Feb. 18 at 11, District Court of Bankruptcy, Liverpool, fin. div.—*Wm. George Wals Taylor*, Tywardreath, Cornwall, surgeon, Feb. 20 at 1, District Court of Bankruptcy, Exeter, div.—*James Kite*, Crewkerne, Somersetshire, wine and spirit merchant, Feb. 20 at 1, District Court of Bankruptcy, Exeter, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Roden, Stamford, Lincolnshire, draper, Feb. 19 at 12, Court of Bankruptcy, London.—*Alexander Black*, Well-

ton-street North, Covent-garden, Westminster, Middlesex, bookseller, Feb. 19 at 2, Court of Bankruptcy, London.—*T. Edwards*, Newport, Monmouthshire, ironfounder, Feb. 19 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

John Whittaker, Swansea, Glamorganhire, druggist.—*R. Kennel*, Broadway, Westminster, and Wilton-mews, Wilton-road, Piccolo, Middlesex, licensed victualler.—*William John Alfred Ioe*, Merchants'-dockyard, Deptford-green, Kent, ship-builder.

PARTNERSHIP DISSOLVED.

John Smith and Joseph Green James, Birmingham, Warwickshire, and Walsall, Staffordshire, attorneys at law, solicitors, and conveyancers, (by the style of Messrs. Smith & James).

SOOTON SEQUESTRATION.

Robert Murdoch, Easter Haughhead, Blantyre, Lanarkshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Dudfield, Twynning, near Tewkesbury, Gloucestershire, of no profession, Feb. 13 at 10, County Court of Gloucestershire, at Tewkesbury.—*Francis Bearnard*, Bath, chiropodist, Feb. 1 at 11, County Court of Somersetshire, at Bath.—*James Adams*, Folkestone, Kent, dealer in hardware, Feb. 12 at 10, County Court of Kent, at Folkestone.—*George Grove*, Bath, dealer in earthenware, Feb. 15 at 11, County Court of Somersetshire, at Bath.—*John Read*, Frome Selwood, Somersetshire, cloth manufacturer, Feb. 12 at 11, County Court of Somersetshire, at Frome.—*Saml. Stocker*, Frome Selwood, Somersetshire, ironmonger, Feb. 12 at 11, County Court of Somersetshire, at Frome.—*James Poolman*, Frome Selwood, Somersetshire, cabinet maker, Feb. 12 at 11, County Court of Somersetshire, at Frome.—*Robert Smith*, Wolviston, Durham, machine maker, Feb. 11 at 10, County Court of Durham, at Stockton.—*Wm. Reid*, Whitehaven, Cumberland, joiner, Feb. 24 at 12, County Court of Cumberland, at Whitehaven.—*Richard Minchin*, Overton, Southampton, licensed victualler, Feb. 21 at 10, County Court of Hampshire, at Andover.—*Charles Meek*, Pembridge, Herefordshire, grocer, Feb. 10 at 1, County Court of Herefordshire, at Kingston.—*James Hunt*, Dudley, Worcestershire, fender maker, Feb. 7 at 3, County Court of Worcestershire, at Dudley.—*Thomas Watkins*, Hanley Castle, Worcestershire, blacksmith, Feb. 14 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Wm. Watts*, Great Malvern, Worcestershire, cordwainer, Feb. 14 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Wm. Edwards*, Stanhope in Weardale, Durham, schoolmaster, Feb. 15 at half-past 10, County Court of Durham, at Wolsingham.—*Geo. Norman*, Marston, Staffordshire, clerk, Feb. 4 at 10, County Court of Staffordshire, at Stafford.—*William Widing* the younger, Middleton-on-the-Hill, Herefordshire, out of business, Feb. 12 at 10, County Court of Herefordshire, at Leominster.—*Jacob Bloomfield*, Ransell, Danbury, Essex, inn-keeper, Feb. 13 at 11, County Court of Essex, at Chelmsford.—*George John Cuthbertson*, Exeter, coachmaker, Feb. 8 at 10, County Court of Devonshire, at the Castle of Exeter.—*Thomas House*, Creeth St. Michael, Somersetshire, farmer, Feb. 13 at 10, County Court of Somersetshire, at Taunton.—*George Anthony Barnes*, Clare, Suffolk, shoemaker, Feb. 13 at 12, County Court of Suffolk, at Haverhill.—*Samuel Chifney*, Woodditton, Cambridgeshire, out of business, Feb. 14 at 10, County Court of Cambridgeshire, at Newmarket.—*Thomas Bryant*, Bath, pig and carcase butcher, Feb. 22 at 11, County Court of Somersetshire, at Bath.—*S. Hodgetts*, Wednesbury, Staffordshire, auctioneer, Feb. 5 at 2, County Court of Staffordshire, at Oldbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 10 at 10, before Mr. Commissioner LAW.

William Edward Phelp, Queen-st., Golden-square, Mid-

Gloucester, clerk in the Queen's Bench Rule-office.—*Limpus Hurst*, Oxford-terrace, Clapham-road, Surrey, temporary clerk in Somerset House.

Feb. 10 at 11, before Mr. Commissioner PHILLIPS.

Francis Joseph Antony Vansetter, Bushey-heath, Hertfordshire, professor of languages.—*Wm. Roberts*, Charlotte-mews, Charlotte-street, Tottenham-court-road, Middlesex, farrier.

Feb. 12 at 11, before the CHIEF COMMISSIONER.

Angus Macdonald, Weymouth-street, New Kent-road, Surrey, dealer in tea and coffee.—*Walter Scott*, Little Heath-cottages, Charlton, Kent, clerk in the storekeeper's office, Woolwich Dockyard, Kent.

Feb. 12 at 10, before Mr. Commissioner LAW.

Thomas Russell Ross, St. Mildred's-court, Poultry, London, banker's clerk.

Saturday, Jan. 25.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Lord the elder, White Lees, near Roehdale, Lancashire, labourer, No. 68,356 C.; *John Milnes* and *John Hartley*, assignees.—*William Bradbury Last*, Bury St. Edmund's, Suffolk, jeweller, No. 72,317 C.; *John Wolf* and *George Wudol*, assignees.—*Richard White*, Cwmcarvon, Monmouthshire, farmer, No. 72,909 C.; *Robert Jones*, assignee.—*Samuel Ward*, Lee, Kent, foreman to a builder, No. 73,066 C.; *Thomas Wilson*, assignee.—*Richard Wright*, Keighley, Yorkshire, topmaker, No. 73,104 C.; *Christopher Cockhott*, assignee.

Saturday, Jan. 25.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Benjamin Britnell, Exmouth-street, Clerkenwell, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*William Brett*, Morgan-street, St. George's-in-the-East, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Edward William Wyon*, Stanhope-street, Hampstead-road, Middlesex, sculptor: in the Debtors Prison for London and Middlesex.—*John Marshall*, Chandos-street, Covent-garden, Middlesex, warehouseman to a wholesale cheesemonger: in the Debtors Prison for London and Middlesex.—*James Basire* the younger, Harrington-street North, Hampstead-road, Middlesex, engraver: in the Debtors Prison for London and Middlesex.—*Thomas Morris*, Thanet-place, High-street, Hounslow, Middlesex, painter: in the Debtors Prison for London and Middlesex.—*Charles Heseltine*, Park-walk, Chelsea, Middlesex, traveller in the timber trade: in the Queen's Prison.—*Rubens Paye Braine*, Brook-green-terrace, Hammersmith, Middlesex, clerk in the Admiralty: in the Debtors Prison for London and Middlesex.—*William Parker Wheelodon*, Lime-grove, Shepherd's-bush, Middlesex, out of business: in the Queen's Prison.—*Henry Johnson Ford*, Trinity-square, Newington, Surrey, railway clerk: in the Debtors Prison for London and Middlesex.—*Randall Litten*, Manor-street, Chelsea, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*William Ewins*, Oxford-terrace, King's-road, Chelsea, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Thomas Wallis*, Sloane-street, Chelsea, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Thomas Cooke Balding*, High-street, Marylebone, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*George Garner*, Noble-street, London, warehouseman: in the Debtors Prison for London and Middlesex.—*Edw. Ablewhite*, Marlborough-hill, St. John's-wood, and Mortimer-street, Cavendish-square, Middlesex, coachbuilder: in the Queen's Prison.—*John Jacob Heystek*, Norfolk-street, Fitzroy-square, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Thomas Nye*, China-walk, Lambeth-walk, Surrey, gentleman's coachman: in the Gaol of Horsemonger-lane.—*Joseph Wesley Bennett*, Marlborough-cottages, College-street, Chelsea, Middlesex, hatter's assistant: in the Debtors Prison for London and Middlesex.—*William Bellingham* the younger, Fleet-street, London, medical student: in the Debtors Prison for London and Middlesex.—*James Brown*,

Selby, Yorkshire, labourer: in the Gaol of York.—*John Edeson*, Auston, near Rotherham, Yorkshire, miller: in the Gaol of York.—*Thomas Rawcliffe*, Holbeck, near Leeds, Yorkshire, dye-ware grinder: in the Gaol of York.—*Samuel Stocks*, Bradford, Yorkshire, cotton-warp dresser: in the Gaol of York.—*William Baker*, Membury, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—*Dryden Elstob*, Dover, Kent, in no business: in the Gaol of Dover.—*Thomas Lethbridge*, Newton Bushel, Highweck, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*J. Lockyer*, Rimpton, Somersetshire, butcher: in the Gaol of Wilton.—*Robert Ransome*, Stokesby, near Great Yarmouth, Norfolk, miller: in the Gaol of Norwich.—*James Woods*, Great Yarmouth, Norfolk, auctioneer: in the Gaol of Norwich.—*Edw. Griffiths*, Penryraig, Swansea, Glamorganshire, farm bailiff: in the Gaol of Cardiff.—*James Wainman*, Morley, near Leeds, Yorkshire, dyewood manufacturer: in the Gaol of York.—*Alfred Arnold*, Chipping Sodbury, Gloucestershire, carrier: in the Gaol of Gloucester.—*Thomas H. Bennett*, Cheltenham, Gloucestershire, builder: in the Gaol of Gloucester.—*John Ripley*, Leeds, Yorkshire, tailor: in the Gaol of York.—*J. Villar*, Bredon, Worcestershire, farmer: in the Gaol of Worcester.—*Wm. Beavington* the younger, Ashby-de-la-Zouch, Leicestershire, chemist: in the Gaol of Leicester.—*Richard Buggeln*, Newton-le-Willows, Lancashire, sugar refiner: in the Gaol of Lancaster.—*Wm. Carson*, Port Mahon, Sheffield, Yorkshire, joiner: in the Gaol of York.—*Henry Fearnside*, Leeds, Yorkshire, carver: in the Gaol of York.—*J. Horrocks*, Seacombe, near Liverpool, marble dealer: in the Gaol of Lancaster.—*Wm. Parker*, Horsham, Sussex, corn dealer: in the Gaol of Petworth.—*Henry Richards*, Strangeways, Manchester, bootmaker: in the Gaol of Lancaster.—*John Wayne*, Manchester, provision-shop keeper: in the Gaol of Lancaster.—*John Webster*, Manchester, provision-shop keeper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 11 at 11, before the CHIEF COMMISSIONER.

Robt. M' Laren, Soyner's-cottage, High-st., Old Peckham, Surrey, jobbing gardener.—*Thomas Barnard*, Heddon-court, Regent-st., Middlesex, bootmaker.

Feb. 13 at 11, before Mr. Commissioner PHILLIPS.

William Robinson, High-street, Camden-town, Middlesex, bricklayer.—*Geo. Cramp*, High-st., Bloomsbury, Middlesex, out of business.—*John Daniels*, Murray-st., New North-road, Hoxton, Middlesex, builder.—*Rubens Paye Braine*, Brook-green-terrace, Hammersmith, Middlesex, clerk in the Admiralty.—*Wm. Laidler*, Groville-st., Hatton-garden, Middlesex, out of business.—*George Flintoff*, Fleet-st., London, bookseller.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Monmouthshire, at MONMOUTH, Feb. 14 at 2.

Watkin W. Wynn, Ebbw Vale Iron-works, carpenter.

At the County Court of Somersetshire, at TAUNTON, Feb. 13 at 10.

Charles Love, Farmborough, near Temple Cloud, mason.—*John Lockyer*, Rimpton, butcher.—*Thomas Sprod* the elder, Congresbury, beer-seller.

At the County Court of Derbyshire, at DERBY, Feb. 15 at 11.

William Goodwin, Chesterfield, out of business.

At the County Court of Northamptonshire, at NORTHAMPTON, Feb. 12.

Samuel Simons, Northampton, in no business.

FRIDAY, JANUARY 31.

BANKRUPTS.

ANDREW GLASS, Queen's-road, Bayswater, Middlesex, baker, Feb. 8 and March 14 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Vallance & Vallance, 20, Essex-street, Strand.—Petition dated Jan. 29.

JAMES TYARS, formerly of New Crane, Corn-wharf, Shadwell, Middlesex, wharfinger and coal merchant, dealer and chapman, and late of Padnals-corner, near Romsford, Essex, farmer, Feb. 7 at 11, and March 14 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Williams, 5, Guildhall-chambers, Basinghall-street, London.—Petition filed Jan. 14.

ANN WALKDEN, spinster, late of Barton-upon-Humber, but now residing at Horkstow, Lincolnshire, carrier and shipowner, dealer and chapwoman, Feb. 19 and March 12 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Wells & Co., Hull.—Petition dated Jan. 27.

ROBERT NORRIS JONES, Liverpool, merchant, dealer and chapman, Feb. 13 and March 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Dodge, Liverpool.—Petition filed Jan. 28.

MEETINGS.

Edward Leigh, Glossop, Derbyshire, cotton manufacturer, Feb. 11 at 12, District Court of Bankruptcy, Manchester, last ex.—**Abraham Chadwick**, Burnedge, Rochdale, and Fairview, near Littleborough, Lancashire, cotton spinner, Feb. 13 at 11, District Court of Bankruptcy, Manchester, last ex.—**Herbert Tension Baines**, Camden-road, Camden New-town, Middlesex, linendraper, Feb. 18 at 11, Court of Bankruptcy, London, and ac.—**Thomas Rowan**, Cambridge, draper, Feb. 11 at 11, Court of Bankruptcy, London, and ac.—**William Abbott** and **William Abbott** the younger, Bermondsey-street, Southwark, Surrey, patent hair felt manufacturers, Feb. 14 at 11, Court of Bankruptcy, London, and ac.—**Joseph Fisher**, Cleeve, Yatton, Somersetshire, money scrivener, Feb. 20 at 11, District Court of Bankruptcy, Bristol, and ac.—**William George Wale Tayler**, Tywardreath, Cornwall, surgeon, Feb. 11 at 11, District Court of Bankruptcy, Exeter, and ac.—**James Kite**, Crewkerne, Somersetshire, wine merchant, Feb. 19 at 11, District Court of Bankruptcy, Exeter, and ac.—**John Moulton**, Hulme, Manchester, joiner, Feb. 10 at 12, District Court of Bankruptcy, Manchester, and ac.—**James Johnson**, Salford, Lancashire, timber merchant, Feb. 12 at 11, District Court of Bankruptcy, Manchester, and ac.—**John Jackson** the elder, Stockport, Cheshire, tailor, Feb. 13 at 12, District Court of Bankruptcy, Manchester, and ac.—**Samuel Meanley**, Walsall, Staffordshire, horse dealer, Feb. 10 at half-past 10, District Court of Bankruptcy, Birmingham, and ac.—**John Stolle** and **William Hodgson**, Christian-street, St. George's-in-the-East, Middlesex, vinegar makers, Feb. 21 at 11, Court of Bankruptcy, London, div.—**George Pratt** and **John Bodle**, Addison-road North, and Queen's-road, Nottingham, Middlesex, builders, Feb. 21 at 1, Court of Bankruptcy, London, div.—**Edward Burridge**, Piccadilly, St. George's, Middlesex, umbrella maker, Feb. 25 at 11, Court of Bankruptcy, London, div.—**John Matthews** and **Charles Decimus Matthews**, Chipping Norton, Oxfordshire, and Chipping Campden, Gloucestershire, bankers, Feb. 24 at half-past 10, District Court of Bankruptcy, Birmingham, and ac. and fin. div.—**Edward Boyce**, Southam, Warwickshire, grocer, Feb. 10 at half-past 10, District Court of Bankruptcy, Birmingham, and ac.; Feb. 24 at 10, div.—**Ann Graves**, Snaith, Yorkshire, innkeeper, Feb. 21 at 11, District Court of Bankruptcy, Leeds, div.—**J. Turnbull**, Scarborough, Yorkshire, linendraper, Feb. 21 at 11, District Court of Bankruptcy, Leeds, div.—**C. Ware**, York, saddler, Feb. 21 at 11, District Court of Bankruptcy, Leeds, div.—**John Morfill** the younger, Leeds, Yorkshire, flax spinner, Feb. 21 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James P. Holyland, Fore-street, London, warehouseman, Feb. 21 at 1, Court of Bankruptcy, London.—**Joseph Charles Byrne**, Pall-mall East, Middlesex, and Sun-court, Cornhill, London, merchant, Feb. 21 at 12, Court of Bankruptcy, London.—**John Lindsay**, Neath, Glamorganshire, grocer, Feb. 26 at 11, District Court of Bankruptcy, Bristol.—**J. Kite**, Crewkerne, Somersetshire, wine merchant, Feb. 24 at 1, District Court of Bankruptcy, Exeter.—**Wm. Laycock**, Liverpool, iron merchant, Feb. 24 at 11, District Court of Bankruptcy, Liverpool.—**John Moore**, Nottingham, cabinetmaker, March 7 at half-past 10, District Court of Bankruptcy, Nottingham.—**James Amor**, Coventry, Warwickshire, trimming

manufacturer, Feb. 27 at 12, District Court of Bankruptcy, Birmingham.—**Christopher Ware**, York, saddler, Feb. 21 at 11, District Court of Bankruptcy, Leeds.—**Ann Graves**, Snaith, Yorkshire, innkeeper, Feb. 21 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Robert D. Reeves, Liverpool, spirit dealer.—**W. Shekel**, Canning-place, Old-street, St. Luke's, Middlesex, bacon merchant.—**George Langford**, Southampton, grocer.—**J. Livesey** and **J. Pimm**, New Lenton, Nottinghamshire, lacemakers.—**Wm. Bennitt** the younger, Worley Wigan, Worcestershire, brickmaker.

SCOTCH SEQUESTRATIONS.

Alexander Young, Falkirk, grocer.—**George Cruickshank**, Aberdeen, merchant.—**John M'Lean**, Paisley, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Owen, Gilfachwen, Trawsfynydd, Merionethshire, farmer, Feb. 15 at 11, County Court of Carnarvonshire, at Portmadoc.—**Daniel Williams**, Carnarvon, out of business, Feb. 17 at 12, County Court of Carnarvonshire, at Carnarvon.—**Wm. B. Popkin**, Maesteg, Langonoyd, Glamorganshire, chemist, Feb. 7 at 10, County Court of Glamorganshire, at Bridgend.—**Wm. Griffith**, Garth, Bangor, Carnarvonshire, cabinetmaker, Feb. 18 at 10, County Court of Carnarvonshire, at Bangor.—**George P. Hogan**, Hakin, Hubberstone, near Milford, Pembrokeshire, shipwright, Feb. 21 at 10, County Court of Pembrokeshire, at Haverfordwest.—**Owen Hugh Thomas**, Bangor, Carnarvonshire, flour merchant, Feb. 18 at 10, County Court of Carnarvonshire, at Bangor.—**G. Adams**, Tunbridge Wells, Kent, butcher, Feb. 13 at 10, County Court of Kent, at Tunbridge Wells.—**Jas. Taylor**, Great Yarmouth, Norfolk, fisherman, Feb. 13 at 10, County Court of Norfolk, at Great Yarmouth.—**David Daniel**, Neath, Glamorganshire, mason, Feb. 6 at 10, County Court of Glamorganshire, at Neath.—**John Garnett**, Ardwick, Manchester, coachbuilder, Feb. 7 at 11, County Court of Lancashire, at Manchester.—**William Neal**, Stamford, Lincolnshire, assistant to a grocer, Feb. 17 at 12, County Court of Lincolnshire, at Stamford.—**Wm. Hebron**, Kirbymoorside, Yorkshire, shoemaker, Feb. 26 at 11, County Court of Yorkshire, at Helmsley.—**A. Hebron**, Kirbymoorside, Yorkshire, dressmaker, Feb. 26 at 11, County Court of Yorkshire, at Helmsley.—**Joseph Singlehurst**, Portmadoc, Ynysyngaiarn, Carnarvonshire, coal merchant, Feb. 15 at 11, County Court of Carnarvonshire, at Portmadoc.—**Hugh Morgans**, Carnarvon, quarryman, Feb. 17 at 11, County Court of Carnarvonshire, at Carnarvon.—**John Claxton**, Stoke, Ipswich, Suffolk, steward on board a steam-boat, Feb. 14 at 10, County Court of Suffolk, at Ipswich.—**Wm. Worthington**, Birmingham, out of business, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**Jeese Cooper**, Birmingham, potato salesman, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**William Bayley Key**, Birmingham, butcher, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**Jas. Goddard**, Birmingham, fender manufacturer, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**Thomas Hart**, Birmingham, out of business, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**Edward Arblaster**, Birmingham, coal dealer, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**H. Bruns**, Coleshill, Warwickshire, out of business, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.—**William Edwards**, Birmingham, grocer, Feb. 15 at 11, County Court of Warwickshire, at Birmingham.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 14 at 11, before the CHIEF COMMISSIONER.

Robert Abbey, Queen-st., Grosvenor-square, Middlesex, tinman.—**Gilbert Cock**, Mildmay-place, Back-road, King'sland, Middlesex, baker.

Feb. 14 at 10, before Mr. Commissioner LAW.

Charles Wilkins, Walham-green, Fulham, Middlesex, car-

penter.—*John Mitchell*, Finabury-st., Finabury-square, Middlesex, carpenter.—*Henry Sowden*, Rose-lane, Stepney, Middlesex, clerk in the employ of the Regent's Canal Company.

Feb. 15 at 11, before Mr. Commissioner PHILLIPS.

Richard Henry Gardiner, Providence-buildings, New Kent-road, Surrey, statutory.—*James Cunningham*, Gloucester-place, Kentish-town, Middlesex, out of business.—*James Sheppard*, Great Carter-lane, Doctors'-commons, London, pork butcher.—*Jos. Holdom*, Warren-st., Pentonville, Middlesex, clerk to a cartman.

Feb. 17 at 10, before Mr. Commissioner LAW.

David Cocksworth, Broadway, Ludgate-hill, City, grocer.

Feb. 17 at 11, before Mr. Commissioner PHILLIPS.

Ann Honoria Bradberry, spinster, Kennington-place, Kennington-common, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 8 at 11, before Mr. Commissioner PHILLIPS.

John Thos. Benesi, Hemsworth-street, Hoxton Old-town, Middlesex, master mariner.

Feb. 14 at 10, before Mr. Commissioner LAW.

Henry Keene, Olliff-place, Camden-town, Middlesex, out of business.

Feb. 17 at 11, before Mr. Commissioner LAW.

Henry Giller, Swinton-street, Gray's-inn-road, St. Pancras, Middlesex, ornamental glass manufacturer.—*J. Sharp*, New-street, Lower Shadwell, Middlesex, miller.—*T. Wallis*, Sloane-street, Chelsea, Middlesex, not in any business.—*T. S. Leake*, Upper Sydenham, Kent, carpenter.—*Wm. Carpenter*, Battersea-fields, Surrey, farmer.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Austin Yorke, Liverpool, master of the brig *Orwell Lass*, No. 73,205; *James Wilson*, assignee.—*Frederick Johnson* the younger, Manchester, rent collector, No. 73,222; *J. Grange*, assignee.—*John Wright*, Salford, Manchester, grocer; No. 73,213; *Moss Samuel*, assignee.—*Joseph Skires*, Hulme, Manchester, out of business, No. 73,262; *William Ogden*, assignee.—*George Rothery*, Liverpool, out of business, No. 73,251; *Thomas Roose*, assignee.—*John Hughes*, Manchester, retail dealer in ale, No. 73,126; *James Horrocks*, assignee.—*Wm. Lupton*, Liverpool, auctioneer, No. 73,250; *D. Bradshaw*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Feb. 14 at 11.

Jarvis Clayton, Manchester, tailor.—*John Wayne*, Manchester, out of business.—*L. Whittaker*, Flaxmoss, near Haslingden, wood sorter.—*John Buckley*, Rochdale, confectioner.—*James Hamill*, Liverpool, tailor.—*Henry Richards*, Manchester, shoemaker.—*Joseph Holt*, Manchester, jobbing dyer.—*John Webster*, Salford, retail dealer in ale.—*S. R. Ludlow*, Chorlton-upon-Medlock, Manchester, out of business.—*Edw. Black*, Birkenhead, near Liverpool, attorney at law.—*John Scott*, Clitheroe, out of business.—*James Castle*, Salford, out of employment.—*John Taylor*, Ashton-under-Lyne, out of employment.—*Thomas Rawlins*, Liverpool, surgeon.—*Geo. Brown*, Lancaster, sawyer.—*Jas. Robinson*, Teartfield, Priest Hutton, near Lancaster, blacksmith.

At the County Court of Brecknockshire, at BRECKNOCK, Feb. 15.

Isaac Williams, Pontrhydyfer, Llanwrtyd, cattle drover.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—*Henry Dyne*, of Bruton, Somersetshire, in and for the county of Somerset; *Richard Comins*, of Witheridge, Devonshire, in and for the county of Devon.

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The Jurist

No. 735—VOL. XV.

FEB. 8, 1851.

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LONDON, FEBRUARY 8, 1851.

DIRECTORS of companies are entrusted with large powers, whereby, under certain restrictions, they are authorised to bind by their contracts every member of the association which they represent; it is therefore of considerable importance that these powers should be accurately defined, and the consequences of exceeding them clearly understood. They are in general contained in acts of Parliament, deeds of settlement, or bye-laws.

If the company be registered under the 7 & 8 Vict. c. 110, the directors are to manage its affairs subject to the provisions of that act, and the deed of settlement, and any bye-law. (Sect. 27). Contracts on behalf of the company (except bills of exchange, promissory notes, and some few other contracts) are to be in writing, signed by two directors, and sealed with the common seal, or signed by some officer thereunto specially appointed; in the absence of such requisites it shall be void, *except* as against the company. (Sect. 44).

This exception, though curiously worded, has the effect of making the want of the formalities an objection that does not lie in the mouth of the company; but they may still object, that those who have made a contract on their behalf had *no authority to make it at all*. (Per Parke, B., in *Ridley v. The Plymouth Baking Company*, 2 Exch. 711).

With regard to such authority, if the contract relate to the *copartnership business*, the party seeking to enforce it against the company is not bound to shew that the directors were authorised by deed of settlement or bye-law to enter into it, because, unless the directors are restrained by such means, they appear to have all authority given to partners at common law; their power is implied, and it will be for the company to rebut such implication, by shewing that the directors exceeded the powers vested in them*.

* See Chitty's Statutes, by Walsby & Beavan, 624, note (c), 2nd ed.

Thus, where it was proved, in an action for goods sold and delivered, that the defendants were a registered joint-stock company, and that the goods had been ordered by the secretary and other officers, delivered at the premises of the company, and used in the course of its trade, it was held that the plaintiff need not produce any deed of settlement or bye-law to shew that the persons who gave the orders were empowered to do so. (*Smith v. The Hull Glass Company*, 19 L. J., C. P., 123). And the Court distinguished this case from *Ridley v. The Plymouth Baking Company*, (supra), on the ground that the contract there sued upon had no relation to the business carried on by the company, and was not within the scope of implied authority given for the purpose of managing the business. They also distinguished *The Kingsbridge Mill Company v. The Plymouth Baking Company*, (2 Exch. 718), because there the deed of settlement was before the Court, and although it gave authority to five directors to bind the company, the contract in question had been made by three only.

Bills of exchange and promissory notes, issued by the directors of a company, are put upon entirely a different footing from other contracts, for they have no power to issue them unless so authorised by the deed of settlement or a bye-law, and then they are to be made or accepted in the names of two of the directors, and expressed to be made on behalf of the company, and countersigned by the secretary or other appointed officer. (Sect. 45).

The party seeking to enforce such instruments must shew that the requirements of the statute have been complied with. Upon this ground, a declaration, which sought to charge a company upon a promissory note made by two of its directors, was decided to be bad on general demurrer, for not alleging that they were authorised to make it by deed of settlement or bye-law. (*Thompson v. The Universal Salvage Company*, 1 Exch. 694). The declaration would, probably, have been sufficient if it had alleged that the *company* made the note; but then the same objection would have arisen to the

plaintiff's case upon the evidence, unless he had produced the deed or bye-law conferring the requisite power.

In *Allen v. The Sea Assurance Company*, (19 L. J., C. P., 305), however, the Court of Common Pleas appear to have held that it did not lie on the plaintiff to shew that the note was countersigned by the secretary or other appointed officer. The note was not countersigned by any one. This decision is questionable; it certainly does not appear to be reconcilable with that in *Thompson v. The Universal Salvage Company*, which was not brought before the attention of the Court.

It is sufficient if the authority be substantially exercised. Where the deed of settlement contained a provision that the directors might issue a promissory note or accept a bill of exchange for the balance of a certain debt not exceeding 1000*l.*, and the directors accordingly issued a note for 1000*l.*, but afterwards accepted and gave several bills, in place of the note, for smaller sums, amounting together to 1000*l.* and interest up to the time at which they were to become due, it was contended that the company were not liable, as the authority of the directors had been exhausted by the making of the promissory note, and also because the special authority had not been pursued in its exact terms, these instruments constituting several instruments, instead of a single one, and also exceeding in the aggregate (by reason of the interest) the sum of 1000*l.* But the Court of Common Pleas held that they were not bound to construe the authority so strictly. Cresswell, J., in delivering the judgment of the Court, said, "It cannot, we think, be regarded as a mere authority, to be exercised in the very terms in which it is given; for it is, in fact, an arrangement between partners as to the mode in which a certain number of them shall conduct the business, in which they have a common interest. The substance of the authority is, that they may contract a debt to the amount of 1000*l.*, and secure it by a negotiable instrument; and, giving a reasonable construction to the authority thus considered, we are of opinion that the directors, having contracted a debt to the amount of 1000*l.*, were not prevented from giving security for it, with its legal accretions, by several notes or bills, instead of a single one." (*Thompson v. The Wesleyan Newspaper Association*, 19 L. J., C. P., 114).

Though a note may not be in conformity with the deed of settlement, so as to bind the shareholders, yet it has been held that it may be sufficient to be enforced against the company as a company, and that the shareholders could urge their objections on a subsequent occasion, when it was sought to enforce against them the judgment obtained against the company. (*Allen v. The Sea Assurance Company*, supra).

The case of *Serrell v. The Derbyshire Railway Company* (19 L. J., C. P., 371) arose under sect. 97 of stat. 8 Vict. c. 16. By that section any contract, which, if made between private persons, would be required by law to be in writing, and signed by the parties to be charged therewith, may be made by the committee or directors on behalf of the company, in writing, signed by such committee, or any two of them, or any two of the directors; and if such contract may be made by

parol only, as between private persons, such committee or the directors may make it by parol only.

Three directors of the company signed a document, intended to operate as an order on the company's bankers, for payment to a third party of the company's money, in fraud of the company. The document was signed by the directors in their own names, and not as directors, nor did they appear on its face to be directors. It was countersigned by the secretary, with the word "secretary" added to his signature. On the document was a stamp containing the name of the company. Many cheques drawn in the same manner had been paid by the bankers. The Court of Common Pleas held that this document did not purport to be the cheque of the company, and was not binding on them. This was so decided on the ground that the makers of the cheque did not describe themselves as directors, nor affect, on the face of the instrument, to bind the company, or to act as their agents. Therefore no one had a right to take the cheque as an instrument issued by the company.

It was said, arguendo, that the above section (sect. 97) does not extend to empower any two directors to bind the company by cheques, unless they are authorised by the board of directors to do so.

In *Pankinil v. Connell* (19 L. J., Ex., 305) the question of liability of a banking company on a note made by some of the directors was incidentally determined. There an action was brought against one of the directors on the following note, signed by him and other directors, describing themselves to be directors:—

"We, the directors of the Royal Bank of Australia, for ourselves and the other shareholders of the said company, jointly and severally promise to pay G. H. W. or bearer, on the 19th February, 1850, at the Union Bank of London, 200*l.*, for value received on account of the company."

It appeared, by affidavit, that the directors had no power to issue the note. An application to stay the proceedings until the plaintiff should prove the debt against the bank, under the Winding-up Act, 11 & 12 Vict. c. 45, was refused, on the ground that the defendant was not sued as a contributory, but on his personal responsibility, and that the note could not be proved against the company.

In *Bosquet v. Shortridge* (4 Exch. 700) the question turned upon the validity of a transfer of shares in a banking company. The company was regulated by a deed of settlement, one of the clauses of which provided, that "no person should be registered as a shareholder without the consent of the board of directors, who might testify the same by a certificate signed by three directors."

A transfer took place, but no consent thereto was given by the board of directors; a certificate, signed by three directors, however, had been given, and it was proved that all transfers had been made in this manner for some years past. The Court held that the transfer was ineffectual. Rolfe, B., delivering judgment, said, "All persons executing the deed are bound by whatever is done in pursuance of its provisions but they are bound no further. The original body of

shareholders agreed to trade in partnership, and they further agreed, that, by a certain stipulated mode, any one of their body might transfer his share to another, to be substituted in his place. But, unless the steps pointed out by the deed for making such a transfer had been duly taken, the original body of shareholders remain partners, according to the terms of their deed of settlement. If, indeed, a case could be conceived where all the shareholders at a particular time had assented to a mode of transfer different from that stipulated for in the deed, they might be bound by what they had so agreed to."

From these decisions it will be seen, that the Courts hold directors strictly to compliance with such conditions as have been imposed upon them for the benefit and protection of the company whose affairs have been intrusted to their management. During the last term similar questions have been discussed in several cases, which are not yet reported; but the judicial opinions expressed on those occasions are, we believe, confirmatory of the views which we have suggested in this article.

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Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | | |
|-----------------|---------|--------------------------------------------------------------------|
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| Tuesday | 11 | |
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| Saturday .. | March 1 | Appeals. |
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| Tuesday | 4 | |
| Wednesday | 5 | (Petition-day).—Lunatic Petitions (unopposed) and Cause Petitions. |
| Thursday | 6 | |
| Friday | 7 | |
| Saturday | 8 | Appeals. |
| Monday | 10 | Third Seal.—Appeal Motions. |
| Tuesday | 11 | Appeals. |
| Wednesday | 12 | |
| Thursday | 13 | |
| Friday | 14 | (Petition-day).—Lunatic Petitions (unopposed) and Cause Petitions. |
| Saturday | 15 | Appeals. |
| Monday | 17 | |
| Tuesday | 18 | |
| Wednesday | 19 | Appeals. |
| Thursday | 20 | |
| Friday | 21 | |
| Saturday | 22 | Fourth Seal.—Appeal Motions. |
| Monday | 24 | |
| Tuesday | 25 | |

N. B.—The days his Lordship hears Appeals in the House of Lords excepted.

Vice-Chancellors' Courts.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Lincoln's Inn.

| | | |
|-----------------|--------|-------------------------------------------------------|
| Friday | Feb. 7 | First Seal.—Motions. |
| Saturday | 8 | Causes and Claims. |
| Monday | 10 | |
| Tuesday | 11 | |
| Wednesday | 12 | Short Causes, Short Claims, and Ditto. |
| Thursday | 13 | Causes and Claims. |
| Friday | 14 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 15 | Petitions. |
| Monday | 17 | Causes and Claims. |
| Tuesday | 18 | |
| Wednesday | 19 | |
| Thursday | 20 | Short Causes, Short Claims, and Bankrupt Petitions. |
| Friday | 21 | Causes and Claims. |
| Saturday | 22 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday | 24 | Petitions. |
| Tuesday | 25 | Second Seal.—Motions. |
| Wednesday | 26 | Causes and Claims. |

| | | |
|---------------------|----|---------------------------------------------------------|
| Wednesday | 26 | { Short Causes, Short Claims, and Bankrupt Petitions. |
| Thursday | 27 | { Causes and Claims. |
| Friday | 28 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday .. March 1 | 1 | { Petitions. |
| Monday | 3 | { Causes and Claims. |
| Tuesday | 4 | { Causes and Claims. |
| Wednesday | 5 | { Short Causes, Short Claims, and Bankrupt Petitions. |
| Thursday | 6 | { Causes and Claims. |
| Friday [..... | 7 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 8 | { Petitions. |
| Monday | 10 | { Third Seal.—Motions. |
| Tuesday | 11 | { Causes and Claims. |
| Wednesday | 12 | { Short Causes, Short Claims, and Bankrupt Petitions. |
| Thursday | 13 | { Causes and Claims. |
| Friday | 14 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 15 | { Petitions. |
| Monday | 17 | { Causes and Claims. |
| Tuesday | 18 | { Causes and Claims. |
| Wednesday | 19 | { Short Causes, Short Claims, and Bankrupt Petitions. |
| Thursday | 20 | { Causes and Claims. |
| Friday | 21 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 22 | { Causes and Claims. |
| Monday | 24 | { Fourth Seal.—Motions. |
| Tuesday | 25 | { Petitions. |
| Wednesday | 26 | { Bankrupt Petitions. |

N. B.—Unopposed Petitions, not exceeding ten, at the head of each day's paper, not being a Seal day.

Before VICE-CHANCELLOR Lord CRANWORTH, at Lincoln's Inn.

| | | |
|---------------------|--------|--------------------------------------------------------------|
| Friday | Feb. 7 | { First Seal.—Motions. |
| Saturday | 8 | { (Petition-day).—Petitions. |
| Monday | 10 | { Remainder of the last Cause Paper, then Causes and Claims. |
| Tuesday | 11 | { Remainder of the last Cause Paper, then Causes and Claims. |
| Wednesday | 12 | { Short Causes, Short Claims, and Ditto. |
| Thursday | 13 | { (Petition-day).—Petitions. |
| Friday | 14 | { (Petition-day).—Petitions. |
| Saturday | 15 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday | 17 | { Causes and Claims. |
| Tuesday | 18 | { Causes and Claims. |
| Wednesday | 19 | { Short Causes, Short Claims, and Ditto. |
| Thursday | 20 | { (Petition-day).—Petitions. |
| Friday | 21 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 22 | { Second Seal.—Motions. |
| Monday | 24 | { Causes and Claims. |
| Tuesday | 25 | { Causes and Claims. |
| Wednesday | 26 | { Short Causes, Short Claims, and Ditto. |
| Thursday | 27 | { (Petition-day).—Petitions. |
| Friday | 28 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday .. March 1 | 1 | { Further Directions. |
| Monday | 3 | { Causes and Claims. |
| Tuesday | 4 | { Causes and Claims. |
| Wednesday | 5 | { Short Causes, Short Claims, and Ditto. |
| Thursday | 6 | { (Petition-day).—Petitions. |
| Friday | 7 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 8 | { Third Seal.—Motions. |
| Monday | 10 | { Causes and Claims. |
| Tuesday | 11 | { Causes and Claims. |
| Wednesday | 12 | { Short Causes, Short Claims, and Ditto. |
| Thursday | 13 | { (Petition-day).—Petitions. |
| Friday | 14 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 15 | { Further Directions. |
| Monday | 17 | { Causes and Claims. |
| Tuesday | 18 | { Causes and Claims. |
| Wednesday | 19 | { Short Causes, Short Claims, and Ditto. |
| Thursday | 20 | { Short Causes, Short Claims, and Ditto. |

| | | |
|----------------|----|---------------------------------------------------------|
| Friday | 21 | { Causes and Claims. |
| Saturday | 22 | { Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday | 24 | { Fourth Seal.—Motions. |
| Tuesday | 25 | { Petitions. |

N. B.—Unopposed Petitions, not exceeding ten, at the head of each day's paper, not being a Seal day.

EQUITY CAUSE LISTS, AFTER HILARY TERM, 1851.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C. Costs*—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*SA.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | |
|---------------------------------------------|-------------------------------------------------------|
| Hickling v. Boyer (Ap) | Gaston v. Frankum (Ap) |
| Rowland v. Witherden (Ap) | Bell v. Rea } (Ap) |
| Myers v. Perigal (Ap) | Rea v. Bell } (Ap) |
| Pearson v. Goulden (Ap, Ptn) | Ward v. Martin (2 Aps) |
| Pearson v. Beck (Ap) | Weaver v. Grant (2 Aps, Ptn) |
| Pearson v. Hulme (Ap) | Haigh v. Gray (Ap) |
| Pearson v. Oldham (Ap) | Duke of Leeds v. Earl Amherst (Ap) |
| Watkins v. Williams } (Ap) | Thornes v. Harper (Ap) |
| Havard v. Church } (Ap) | Watts v. Symes } (Ap) |
| Emmett v. Dewhirst (Ap) | Same v. Hernaman } (Ap) |
| Monro v. Taylor (2 Aps) | Seagrave v. Pope (Ap) |
| Briggs v. Penny (Ap) | Jones v. Lewis } (Ap) |
| Hickman v. Hickman (Ap) | Same v. Owen } (Ap) |
| Rodick v. Gandell (Ap) | Mayor, &c. of Berwick v. Murray (2 Aps) |
| Robinson v. Geldart (Ap) | Percival v. Caney (Ap) |
| Salmon v. Dean (Ap) | Newman v. Hutton (Ap, M) |
| Smith v. Pincombe (Ap) | Ogle v. Morgan (Ap) |
| Vivian v. Cochran (Ap) | Allen v. Wilson (Ap) |
| Sturge v. Sturge (Ap) | Miller v. Priddy (Ap) |
| Pelly v. Wathen (Ap) | Sharp v. Taylor (Ap) |
| Rhodes v. Matson (Ap) | Letts v. Corn Exchange Co. (Ap) |
| Smith v. Smith (Ap) | Blenkinsopp v. Blenkinsopp (Ap) |
| Kekewick v. Manning (Ap) | Wellesley v. Wellesley (Ap) |
| Att.-Gen. v. Murdock (Ap) | Powell v. Dodson (Ap) |
| Deeks v. Bell (Ap) | Evans v. Evans (Ap) |
| Toft v. Stephenson } (Ap) | Barnett v. Sheffield (2 Aps) |
| Graham v. Reeves } (Ap) | Fairthorne v. Davis (Ap) |
| Smale v. Graves (Ap) | Follett v. Jeffereys (Ap) |
| Hawkes v. Eastern Counties Railway Co. (Ap) | Bryan v. Mansion (Ap) |
| Reynell v. Spry (Ap) | Waters v. Mynn (Ap) |
| Vaughan v. Vanderstegen } (Ap) | Langdale v. Gill (Ap) |
| Gates v. Lord Dunboyne } (Ap) | Jones v. Parry (Ap) |
| Price v. Griffith (Ap) | Spooner v. Vayne (Ap) |
| Coope v. Carter (Ap) | Kynaston v. Lancashire and Yorkshire Railway Co. (Ap) |
| Bayden v. Watson } (Ap) | Same v. Same (Ap) |
| Lardner v. Paine } (Ap) | |
| Hamilton v. Bankin (Ap) | |
| Saunders v. Hamilton (Ap) | |
| Swift v. Grasebrook (Ap) | |
| Robinson v. Robinson (Ap) | |

Before Vice-Chancellor KNIGHT BRUCE, at Lincoln's Inn.

| | |
|-----------------------------------|----------------------------|
| Allen v. Harrison } (E for in- | Nowell v. Beaumont (Cl) |
| Same v. Same } sufficy.) | Huskinson v. Bridge (F D) |
| Stanton v. Holmes (E for scandal) | Harris v. Aldridge |
| Haig v. Gray (E, F D) | Crosse v. Allom (Cl) |
| Douglas v. Douglas (E) } | Cambray v. Draper |
| Same v. Same (F D) } | Phillips v. Gatty (F D) |
| Prendergast v. Lushington (E) } | Morrison v. Hoppe (F D) |
| Same v. Same (F D) } | Beeby v. Grainge |
| Kirwin v. Daniel (Part heard) | Lane v. Green (F D) |
| Methold v. Turner } | Foster v. Skelmerdine |
| Ellis v. Same } | Crafton v. Frith (F D) |
| Same v. Same } | Haigh v. Jagger (3 causes) |
| | Hyder v. Coleman (F D) |
| | Farnell v. Porter |

- Vaughan v. Harries
 Hallen v. Lloyd (Cl)
 Lazarus v. Colbeck (F D)
 Craven v. Binks
 Page v. Dewdney
 Pemberton v. French (F D)
 Dew v. Dew
 Cursham v. Campbell (Cl)
 Hanbury v. Knowles
 Hawkes v. Eastern Counties
 Railway Co. (E, F D)
 Dicken v. Ward (E, F D)
 White v. Vernon
 Vernon v. Ecclesiastical
 Commissioners for England
 King v. King (Cl)
 Cockburn v. Green (Cl)
 Topping v. Howard (F D)
 Wamaley v. Rawlins (F D)
 Lyon v. Wood
 Payne v. Robertson (Cl)
 Manson v. Hunt (Cl)
 Smith v. Thorne
 Kingsford v. Ball
 Livesey v. Leicester (F D)
 Tillett v. Leake
 May v. Brocksopp (Cl)
 Brian v. Hodgkins (Cl)
 Thomas v. Parker (Cl)
 Jackson v. Graham
 Chubb v. Pargeter
 Thomas v. Vignoles (Cl)
 Alcock v. Duncan (Cl)
 Collingwood v. Sitwell (F D)
 Evans v. Summers
 Needham v. Carpenter (Cl)
 Goodall v. Skerratt (2 Cls)
 Cann v. Frowse (Cl)
 Witherden v. Mercerion (Cl)
 Strickland v. Strickland (F D)
 Chambre v. Maude (Cl)
 Surfleet v. Kennington (Cl)
 Bessant v. Noble (Cl)
 Toon v. Cotterell (Cl)
 Pooley v. Lloyd (Cl)
 Metcalfe v. Mitchell (Cl)
 Cook v. Wright (F D)
 Holmer v. Eastern Counties
 Railway Co.
 Hayward v. Stephens (F D)
 Thomas v. Thomas (F D)
 Sadler v. Lovegrove (Cl)
 Middleton v. Losh
 Bray v. Gill (Cl)
 Dearlove v. Sambell (Cl)
 Roakes v. Upperton
 Dobson v. Turner (Cl)
 Eddowes v. Eddowes (Cl)
 Abbott v. Sworder
 Sugden v. Browne (F D)
 Dawson v. Oldham (Cl)
 Jones v. Yarranton (Cl)
 Meakin v. Meakin (Cl)
 Henning v. Mayo
 Doveton v. Bevan
 Ware v. Watson
 Wyke v. Rogers (F D)
 Randall v. Hall (E)
 Vincent v. Bishop of Sodor
 and Man (F D)
 Smeed v. Smeed (Cl)
 Merry v. M'Entagart (Cl)
 Hemming v. Smith
 Langton v. Gugerl (Cl)
 Carpenter v. Rowden (Cl)
 Bailly v. Brookhouse (Cl)
 Wright v. Bratt (Cl)
 Tucker v. Ibbotson (Cl)
 Pym v. Holland (Cl)
 Napper v. Dendy
 Woodford v. Woodford (Cl)
- Rose v. Smith (Cl)
 Higgin v. Lane
 Garrett v. Chalmers
 Claplin v. Howell (F D)
 Massey v. Hare
 Woodhead v. Turner
 Clarkson v. Curphey (Cl)
 Strong v. Anstey (Cl)
 Ward v. Manchester, Sheffield,
 & C. Railway Co. (Cl)
 Hill v. Parker (Cl)
 Scott v. Ellett
 Martindale v. Hayton (F D)
 Ringrose v. Fewster
 Gregory v. Nelson (Cl)
 Moores v. Rimmer (Cl)
 Mendham v. Durrant (Cl)
 Basham v. Hopkins
 Jones v. Price
 Cross v. Sprigg (Rehearing)
 Skerratt v. Goodall (2 Cls)
 Moss v. Moss (Cl)
 Winnall v. Henney (Cl)
 Pawsey v. Barnes (Cl)
 Law v. Law (F D)
 Wright v. Warren (E, F D)
 Knight v. Vickers
 Cook v. Lovelein (Cl)
 Mayne v. Hooke (Cl)
 Bland v. Humphreys (Cl)
 Bellamy v. Morrill
 Nichols v. Hedge
 Harvey v. Palmer (Cl)
 Bosworth v. Stocker (Cl)
 Harry v. Stephens (Cl)
 Savery v. Surr (E)
 Gurney v. Duckett
 Bensusan v. Nehemias (F D)
 Norton v. Hepworth (E)
 Petrie v. Fothergill (Cl)
 Clemenson v. Hardy (F D)
 Farquhar v. Addington
 Hemming v. Harvey (Cl)
 Pownall v. Durkin (Cl)
 Cocks v. Bush (Cl)
 Kendrick v. Pocock
 Bathurst v. Ravensdale (Cl)
 Barnes v. Brookhouse (Cl)
 Cornwell v. Davies (Cl)
 Shippey v. Dewey (2 Cls)
 Forshaw v. Rae (Cl)
 Attenborough v. Richardson
 (Cl)
 Davies v. Evans
 Bowyer v. Phillips (Cl)
 Attorney-Gen. v. Summers
 Francis v. French (Cl)
 Postlethwaite v. Tilaley (Cl)
 Flatow v. Delasane (Cl)
 Moginie v. Stuart
 Davis v. Strutt
 Great Western Railway Co. v.
 Bowyer
 Gillies v. Longlands (F D)
 Dufaur v. Dufaur
 Stebbing v. Summers (Cl)
 Ade v. Downs (Cl)
 Story v. Johnson (F D)
 Ridler v. Yearaley
 Stebbing v. Sandle (Cl)
 Clarke v. Thompson (Cl)
 Martyr v. Kirby (Cl)
 Gaunt v. Salisbury (Cl)
 Longstaff v. Rennison (F D)
 Singleton v. Bulmer
 Brown v. Freeman (Cl)
 Shardlow v. Gace (Cl)
 Wilson v. Peacock (Cl)
 Handley v. Lewis (Cl)
 Lewin v. Kellett
 Oldnall v. Smith (2 causes)
- Humphries v. Preedy
 Sankey v. Sayer (Cl)
 Perry v. Lane (Cl)
 Clarke v. Day (Cl)
 Sweeting v. Allnutt
 Rust v. Allnutt
 Fenner v. Boag
 Whitfield v. Parfitt
 Leach v. Baker (E, F D)
 Close v. Close
 Milner v. Wakefield (Cl)
 Cath v. Gold (Cl)
 Oppenheim v. Henry (Cl)
 Peak (pauper) v. Peak
 Preedy v. Bedington (Cl)
 Westcott v. Cary
 Horn v. Nightingale (Cl)
 Lovitt v. Kelsey (Cl)
 Gabriel v. Ralston (Cl)
 Nash v. Hutt (Cl)
 Day v. Everitt (Cl)
 Rackham v. Cooper (Cl)
 Oppenham v. Henry (Cl)
 Doyle v. Collins
 Heale v. Knight (Cl)
 Sharman v. Egar (Cl)
 Gould v. Robertson (Cl)
 Braithwaite v. Hutchinson (Cl)
 Humble v. Cooper (Cl)
 Drury v. Merivale
 Ashton v. Lord Langdale (E,
 4 sets)
 Same v. Same (F D)
 Spink v. Hutton (Cl)
 Pulleine v. Sturgis (Cl)
 Williams v. Thompson (Cl)
 Heather v. Dixon (Cl)
 Mills v. Mills (Cl)
 Inge v. Birmingham and Ox-
 ford Railway Co. (Cl)
 Flannack v. Board
 Stannett v. Burrows (Cl)
 Campbell v. Moxhay (Cl)
 Potts v. Thames Haven Dock
 and Railway Co. (Cl)
 Hills v. Heather (Cl)
 Garden v. Ingram (Cl)
 Needham v. Carpenter (Cl)
 Woodgate v. Archerburton (E,
 F D)
 Cooper v. Cooper
 Williamson v. Williamson (Cl)
 Carne v. Curtis (Cl)
 Terry v. Nettleton (Cl)
 Same v. Same (Cl)
 Farand v. Lloyd (Cl)
 Johns v. Mason (Cl)
 Taylor v. Robinson
 Jackson v. Eason (Cl)
 Goffe v. Edmunds (Cl)
 Sims v. Wilde (Cl)
 Fox v. Daly (Cl)
 Staley v. Wright (Cl)
 Walker v. Bentley
 Squire v. Ford
 Bradbury v. Broadhead
 Wright v. Moore
 Pike v. Barber
 Heap v. Tonge
 Cartmale v. Proffit
 Field v. Hastings
 Broughton v. Ward
 Billson v. Owen
 Fores v. Richardson
 Luntley v. Hoby
 North Stafford Railway Co. v.
 Wheildon
 Chadwick v. Maden
 Simpson v. Sheppard (Cl)
 Litchfield v. Watkins (Cl)
 Low v. Rawlings
- Scott v. Wilson
 Heaps v. Leadman
 Greaves v. Greaves (Cl)
 Illingworth v. Cooke
 Pearson v. Rutter
 Ward v. Cartwright
 Pointer v. Hollier (Cl)
 Hull v. Hall (Cl)
 Scorey v. Thompson
 Fordham v. Wallis (2 causes)
 Att.-Gen. v. Great Northern
 Railway Co.
 Kell v. Horry
 Hart v. Smith (Cl)
 Ansell v. Fenning (Cl)
 Robins v. Hobbs (Cl)
 Mackey v. Parker (Cl)
 Cater v. Baker (Cl)
 Penny v. Penny (Cl)
 Louis v. Levinson (Cl)
 Maynard v. Higgins
 Toller v. Attwood (F D)
 Bottrill v. Arnold (Cl)
 Craddock v. Tavener (Cl)
 Backhurst v. King (Cl)
 Buckingham v. Dunn (Cl)
 Davies v. Pinder (Cl)
 Howard v. Tillett (Cl)
 Phillips v. Goodhart (Cl)
 Bankart v. Crafton (Cl)
 Howard v. Howard (Cl)
 Morrell v. Fisher (F D)
 Johnson v. Freeman (Cl)
 South Devon Railway Co. v.
 Stevens (Cl)
 Sherwood v. Beveridge (F D)
 SA
 Nicholson v. Jeyes (Cl)
 M'Knight v. Carruthers (Cl)
 Goodale v. Webb (Cl)
 Attorney-Gen. v. Johnson (Cl)
 Mules v. Corhart (Cl)
 Spickernell v. Hotham (Cl)
 Cooper v. Knox (Cl)
 Stone v. Tompson (F D)
 Leeming v. Leeming (F D)
 Morse v. Sutton (Cl)
 Blunt v. Hoskins (Cl)
 Pearse v. Bryant (Cl)
 Southam v. Richardson (Cl)
 Kimber v. Ensworth (F D)
 Bridges v. Mawe (Cl)
 Mumford v. Smith (Cl)
 Thompson v. Milbourn (Cl)
 Paine v. Dunmore (Cl)
 Dutton v. Colston
 Pittman v. King
 Pearson v. Robinson (F D,
 7 causes)
 Chamberlain v. Hughes (Cl)
 Master v. Page (Cl)
 Devey v. Thornton
 Finney v. Mackintosh (Cl)
 Burt v. Westbrook (Cl)
 Nottingham v. Mould (Cl)
 Haughton v. Turpin (Cl)
 Hull v. Grimshaw (Cl)
 Webb v. London and Ports-
 mouth Railway Co. (Cl)
 Granger v. Reeves (Cl)
 Barratt v. Barratt (Cl)
 Howarth v. Barton (Cl)
 Nash v. Ridge (F D)
 Halden v. Halden (Cl)
 Chesterman v. Mann
 Richards v. Richards (Cl)
 Kilby v. Lawrence (F D)
 Skinner v. Claridge (Cl)
 Wright v. Chaffero (2 causes)
 Thompson v. Empson (F D)
 Willmer v. Kidd (Cl)

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|------------------------------------|--------------------------------------------|---------------------------------------|-------------------------------------|
| Webb v. English (F D) | Chapman v. Great Northern Railway Co. (Cl) | Bell v. Edginton (2 Cls) | Vincent v. Vincent (Cl) |
| Evans v. Evans (Cl) | Lugar v. Butler | Ravenhill v. Lloyd (Cl) | Jackson v. Craig (Special case) |
| Bovill v. Bovill (Cl) | Gandy v. Hodges (Cl) | Williams v. Williams (F D, C) | Storer v. Smith |
| Wilkinson v. Wilkinson (Cl) | Turnbull v. Wann (Cl) | Walters v. Olding (F D, C) | Wright v. Rimmer |
| Wright v. Lamb (Cl) | Mossop v. Jenkins (F D) | Edwards v. Tate (2 causes) | Hirtzel v. Smith |
| Barnard v. Barnard (Cl) | Curling v. Newton | Mortimer v. Hartley (Equity reserved) | Reeves v. Reeves (Cl) |
| Grange v. Smith (Cl) | Vernall v. Vernall | Wright v. Smallwood (Cl) | Batts v. Frost (Cl) |
| Pearce v. Williams (Cl) | Gee v. Shaw | Lord Lifford v. Percival (Cl) | Col. &c. Railway Co. v. Gooday (Cl) |
| Lee v. Lee } (3 causes) | Goode v. West (Cl) | Lancaster v. Gaselee (Cl) | Burrows v. Hutchens (Cl) |
| Lye v. Same } | Blane v. Bell (F D) | Osborne v. Strutt | Herrick v. Jordan (2 causes) |
| Winnall v. Henney (Cl) | Pottle v. Beaman (Cl) | Crosse v. Lawrence (6 Cls) | Johnes v. Jones (Cl) |
| Moore v. France (3 causes) | Wilkinson v. Kay (Cl) | Gunn v. Panman (Cl) | Smith v. Stewart (Special case) |
| Purnell v. Penton (Cl) SA | North-western Railway Co. v. Lockwood | Cottingham v. Doughty (Cl) | Powell v. South Wales Railway Co. |
| Tennant v. Mason (Cl) | Oliver v. Oliver (F D) | Williams v. Hilditch (F D) | Wilcocks v. Revis (3 causes) |
| Higginson v. Higginson (Cl) | Williams v. Roper (Cl) | Wilks v. Penton | Child v. Patient (Cl) |
| Brown v. Sewell | Godwin v. Scorey (Cl) | Ballenden v. Ballenden | Holloway v. Poole (Cl) |
| Eccles v. Cheyne (Cl) | Davis v. Perkins (Cl) | Wiblin v. Abington SA | Travers v. Tucker (Cl) |
| Hopkins v. Haynes | Hornby v. Holmes (F D) | Hobhouse v. Holcombe (E) } | Rice v. Rice (Cl) |
| Harrison v. Randall (3 causes) | Tyler v. Evans (3 causes) | Same v. Same (E, F D) } | |
| Bacon v. Cosby | Evans v. Evans | Inglish v. Perry (Cl) | |
| Stevens v. Blyth (F D, Cause) | Parker v. Lake (Cl) | | |
| Estaugh v. Collins (Cl) | Tweedale v. Johnson (Cl) | | |
| Brown v. Randall (2 Cls) | Pike v. Bullock (Cl) | | |
| Olding v. Long (Cl) | Howard v. Jewell (Cl) | | |
| Lee v. Berriman (Cl) | Aicken v. Thwaites (Cl) | | |
| Smith v. Bartropp (Cl) | Blaxland v. Blaxland | | |
| Waterhouse v. Stansfield (Cl) | Webber v. Webber (Cl) | | |
| Dawe v. Dawe (Cl) | Hezelidine v. Cragg | | |
| Watts v. Russell | Ellis v. Cruickshank (Cl) | | |
| Anderson v. Guichard (Cl) | Nathan v. Brandon (3 causes) | | |
| Mason v. Drury (Cl) | Stephenson v. Goodwin | | |
| Baskett v. Steel (Cl) | Moore v. Darton (E) } | | |
| Bealey v. Hull (Cl) | Same v. Same (F D) } | | |
| Smith v. Hurst (2 causes) | Barker v. Birch (E) | | |
| Mercer v. Dyson | Harriman v. Bradley (Cl) | | |
| Dixon v. Linn (F D) | Soloway v. Homan (Cl) | | |
| Nash v. Hodgson (Cl) | Salmon v. Lunn (Cl) | | |
| Habershon v. Vardon (F D) | Andrews v. Patzcker (Cl) | | |
| Thompson v. Wilberforce (F D) | Johnson v. Thompson (F D, C) | | |
| Brassey v. Brassey (Cl) | Smith v. Smith (F D) | | |
| Singer v. Desborough (2 cau.) | Williams v. Kenrick (Cl) | | |
| Buckell v. Hardley (F D) | Wyatt v. Nangle (Cl) | | |
| Cawsey v. Cawsey (Cl) | Cooper v. Hollingsworth (2 causes) | | |
| Russell v. Jackson | Haydon v. Wood (Cl) | | |
| Corfield v. Wace (Cl) | Hamer v. Murray SA | | |
| Abbott v. Calton (Cl) | Swaby v. Dickon (F D, C) | | |
| Benn v. Griffith (Cl) | Swaby v. Hamar (F D, C) | | |
| South-eastern Railway Co. v. Duerr | Richardson v. Eyton (Cl) | | |
| Gordon v. Bentley (Cl) | Newing v. Gerard (Cl) | | |
| Shackels v. Richardson (F D) | Crossley v. Crowther (Cl) | | |
| Chant v. Browne | Nicholson v. Lock (F D, C) SA | | |
| Marshall v. Sladden (E) | Hunter v. Clarke (Cl) | | |
| Same v. Same (F D) | Smith v. Park (Cl) | | |
| Saward v. Tillett | Att.-Gen. v. Storey (F D, C) | | |
| Hart v. Tulk (F D) | Davies v. Holmes (F D, C) | | |
| Squire v. Clunes (F D, C) | Watson v. Butler (Cl) | | |
| Oxford v. Gibson (Cl) | Loch v. De Burgh (F D, C) | | |
| Whitworth v. Rhodes (2 cau.) | Bartlett v. Baker (Cl) | | |
| Judd v. Holmes (Cl) SA | Jones v. Great Western Railway Co. (Cl) | | |
| Burnett v. Martin (Cl) | Harrison v. Randall (2 causes) | | |
| Bolton v. Michel (Cl) | Drant v. Holgate | | |
| Ellis v. Turner (2 causes) | Pope v. Pope (2 causes) SA | | |
| Lovett v. Hickson (Cl) | Walker v. Withington (Cl) | | |
| Hirst v. Schofield (Cl) | Heath v. Baker | | |
| Rollins v. Groom (F D, C) | Suckling v. Page (Cl) | | |
| Walters v. Slade (Cl) | Burrows v. Walls | | |
| Shipton v. Rawlins (F D) | Townshend v. Martin (E) } | | |
| Cobb v. Duck | Same v. Same (F D) } | | |
| Waddy v. Scott (Cl) SA | Barnard v. Anderson | | |
| Welch v. Cullis (Cl) | Reeves v. Trenchard (Cl) | | |
| Villebois v. Villebois (E) | Dyson v. Dyson | | |
| Hewitt v. Loosemore | Rogers v. Mort | | |
| Norbury v. Green | Ross v. Great Western Railway Co. (Cl) | | |
| Grover v. Burningham (F D) | King v. Phillips | | |
| Sawyer v. Duncan (Cl) | M'Dermott v. Nowlan (F D, C) | | |
| Douglas v. Horton | | | |
| Franks v. Franks (Cl) | | | |
| Bates v. Fenwick (Cl) | | | |
| Life v. Watson | | | |
| Sherwood v. Vincent | | | |

Before Vice-Chancellor Lord CRANWORTH, at Lincoln's Inn.

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|-----------------------------------------|-------------------------------------------------------|
| Vanderwalle v. Masterman (E, 2 sets) | Attorney-Gen. v. Andrews |
| Burbidge v. Newton (E) | Gibson v. Gibson |
| Stumps v. Gaby (Pl) | Galland v. Watson (F D) |
| Howard v. Howard (E) | Lord v. Weightwick (E, F D) |
| Brougham v. Squire (2 causes) | Society for the Enlargement of Chapels, &c. v. Barlow |
| Alpe v. Woodhouse | Jones v. Morrall (F D) |
| Carter v. Barnard (F D) | Bickford v. Bickford (E) |
| Bridges v. Hinxman (E) | Sewell v. Monypenny |
| Mitchell v. Cobb | Bohn v. Bohn (F D) |
| Myers v. Watson | Walsh v. Trevanion (F D) |
| Martin v. Welstead (F D) | Johnson v. Farris (Cl) |
| Belcher v. Lockey (F D) | Miles v. Durnford |
| Flint v. Warren (F D, Ptn) } | Whitwell v. Vipan (Cl) |
| Martin v. George (by order) } | Same v. Same (Cl) |
| Wilson v. Wilson | East v. Twyford |
| Taylor v. Reid (F D) | Birch v. Joy (E) |
| Sewell v. Murray (E) | Stapleton v. Stapleton (Cl) |
| Fagge v. Sandys | Gray v. Gray |
| Wood v. Taylor (2 causes) | Campbell v. Foster (Rehearing, part heard) |
| Mills v. Sawyer | Kay v. Holder (F D, C) |
| Palmer v. Goren (2 causes) | Bennett v. Burrell |
| Robotham v. Amphlett (F D) | Hend v. Wells (Cl) |
| Langham v. Richardson | Eales v. Pitt |
| Monro v. Proctor | Rackstraw v. Meacher (F D, Ptn) |
| Humphrey v. Humphrey | Winkfield v. Ashby |
| Stilwell v. Meilersh (F D, Ptn) | Sawyer v. Mills (3 causes) |
| Steel v. Steel | Bethane v. Leggatt (F D) |
| Smith v. Smith (2 causes) | Thorold v. Bailey (Cause, Ptn) |
| Flight v. Camac (E) | Bleakey v. Bleakey |
| Bird v. Bird (E, F D) | Forbes v. Kemshead |
| Travis v. Newton | Pierce v. Griffith (F D) |
| Davis v. Greenlaw | Atkinson v. Gylby (E, F D) |
| Navulshaw v. Brownrigg | Barker v. Attorney-Gen. |
| Newman v. Warner (E, F D) | Longstaff v. Rennison (F D) |
| Noble v. Page | Flood v. Browne |
| Harcourt v. Seymour (3 cau.) | Greenway v. Broomfield (F D) |
| Seymour v. Lord Vernon (4 causes) | Parkyn v. Wightwick |
| Matthews v. Venables (F D, Cause) | Collett v. Newnham |
| Trutch v. Jones | Gabriel v. Stratton |
| Coleman v. Smythies (F D) | Hardy v. Hull (F D) |
| Lloyd v. Twining (F D) | Wordsworth v. Darell |
| Gardner v. Perry | Panter v. Panter |
| Adey v. Arnold (F D) | Barlow v. Lantour |
| Pugh v. King | Bush v. Windey (E, 2 sets) |
| Nelson v. Hopkins | Mayor, &c. of Berwick v. Murray |
| Deighton v. Wheeler | Blackshaw v. Cox |
| Duchas de Stacpoole v. Lodge (2 causes) | Horsfield v. Ashton |
| Alliborne v. Walker (3 causes) | Trollope v. Trollope |
| Fidkin v. Webb (F D) | Wayne v. Hanham |
| Rouse v. Laird (2 causes) | Griffith v. Van Heythuysen (3 causes) |
| Walter v. Corpe (F D) | Calvert v. Sebright (Bk. E) |
| Lilley v. Medlycott } | Middleton v. Middleton (F D) |
| Lilley v. Lilley } | |

Brown v. Barnes
 Spensley v. Wilson
 Frost v. Hilton
 Symonds v. Winston (F D)
 Beadan v. King
 Lupton v. Thornhill
 Lewis v. Smith (F D)
 Collett v. Morrison
 Allen v. Hitchcock
 Williams v. Symons (F D)
 Freeman v. Lomas
 Curtis v. Nokes (Cl)
 Kennerley v. Kennerley
 Whitworth v. Brogden (3 ca.)
 Putt v. Putt (F D, C)
 Taylor v. Cargill
 Whitwell v. Pratt
 Burchinshaw v. Roberts
 Bakewell v. Brotherton (Cl)
 Roberts v. Roberts (F D)
 Alcock v. Allen
 Dalglish v. Jarvis
 Alice Fletcher v. Moore
 Gregson v. Catterall (Cl)
 Askew v. Millington
 Ball v. Barker (F D)
 Withers v. Birmingham and
 Oxford Junction Railway
 Co.
 Thompson v. Tooke
 Moore v. Welham (Cl)
 Oddie v. Tattersall (F D)
 Albimson v. Pendlebury
 Aufere v. Hill (E, F D)
 Basil v. Lister
 Hull v. Hull
 Treacher v. Heather
 Wright v. Allen (Cl)
 Lincoln v. Windsor
 Bromitt v. Moore (Cl)
 Wilkinson v. Fowkes
 Paterson v. Cuel (Cl)
 Vincer v. Powell (Cl)
 Harris v. Lockington (Cl)
 Brown v. Smith (E)
 Hayward v. Price (Cl)
 Browne v. Paul (2 causes)
 Sadlow v. Dod (Cl)
 Fazakerley v. Gilibrand (E,
 F D)
 Stevens v. Wilkinson (Cl)
 Fletcher v. Gerrard (2 causes)
 Parry v. Parry
 Att.-Gen. v. Wilshere (F D)
 Homer v. Gould (F D)
 Gregory v. Wilson
 Wilkinson v. Standage
 Bettington v. Jolliffe (Cl)
 Payne v. Cook (Cl)
 Lambie v. Lambie (Cl)
 Hervey v. Cooke
 Cooke v. Cholmondeley (F D)
 Porter v. Hannam (Cl)
 Holl v. Gedge (F D)
 Polley v. Seymour (F D)
 Newman v. Mather
 Harvey v. Burrows (Cl)
 Smith v. Males
 Knight v. Knight (Cl)
 Gladow v. Hull Glass Co.
 (F D)
 Jones v. Maggs (Cl)
 Nettleton v. Nettleton
 Sergison v. Adey
 Cook v. Cook (E)
 Morris v. Wood (F D)
 Chivers v. Wood (Cl)
 Page v. Cox
 Stockwell v. Goldsbrough (2
 Cls)
 King v. Bell (Cl)

Hiles v. Moore (E)
 Bradley v. Munton (E)
 Owen v. Derbyshire (Cl)
 Dennett v. Pepper (Cl)
 Mudd v. Day (Cl)
 Sturgis v. Arrowsmith (F D)
 Bates v. Bates
 Trafford v. Brooke (F D)
 Randall v. Parkinson (F D)
 Stringer v. Stagg (Cl)
 Clegg v. Duncraft
 Wilkinson v. Hartley (E) }
 Same v. Same (F D, C) }
 Cattlen v. Brown
 Clough v. Billings (Cl)
 Official Manager of the Grand
 Trunk or Stafford and Peter-
 borough Union Railway Co.
 v. Brodie
 Turquand and Same v. Sturgis
 Mayor, &c. of Huntingdon v.
 Great Northern Railway
 Co. (Cl)
 Carlon v. Mercer (Cl)
 Waldron v. Sloper (Cl)
 Bunney v. Woodham (Cl)
 Allin v. Crawshaw (Cl)
 Hughes v. Wells (2 causes)
 Stoke v. Salomons (Sp. case)
 Webster v. Taylor
 Clarke v. Font (F D, C)
 Champion v. Mayor, &c. of
 Gravesend (Cl)
 Long v. Storie
 Last v. Goldsmith
 Jones v. Fleming (Cl)
 Ashwell v. Bailey (Cl)
 Travis v. Milne
 Fryer v. Durant (Cl)
 Smith v. Pollard (Cl)
 Stapleton v. Stapleton (Special
 case)
 Pearce v. Mayhew (Cl)
 Higgs v. Maynay (Cl)
 Graham v. Gedge (Cl)
 How v. Hamilton (Cl)
 Goodale v. Goodale
 Kensit v. Stratford (F D, C)
 Granger v. Poole (Cl)
 Rose v. Gould (F D, C)
 Attorney-Gen. v. Trevelyan
 Robinson v. Reynolds (Cl)
 Roumieu v. Smith
 Billage v. Southes
 Morrell v. Tinkler
 Lewis v. Gotbed (Cl)
 Harding v. Bishop (Cl)
 Nugee v. Dean (Cl)
 Earl of Newburgh v. Morton
 (Cl)
 Langton v. Duke of Portland
 (Cl)
 Mounsey v. Agar
 Doswell v. Cooper (Cl)
 Topp v. Moore (Cl)
 Bridges v. Earl of Roden (F D)
 Guest v. Farnworth
 Clayton v. Wood (Cl)
 Gardner v. Smithson (Cl)
 Lindsay v. Parfitt (F D, C)
 Vigurs v. Vigurs (E)
 Speyer v. Thomson (F D)
 Hood v. Lord Bridport (2
 causes, M)
 Tanner v. Higham (Cl)
 Ardagh v. Ashley (F D)
 Penny v. Penny
 Hughes v. Morris (3 causes)
 Scott v. Lord Hastings (Cl)
 Milne v. Milne
 Blakey v. Duke of Montrose

South Wales Railway Co. v.
 Clarke
 Lomax v. Gem (F D, C)
 Smith v. Shave (Cl)
 Att.-Gen. v. Hull (3 causes)
 Reeves v. Lancsfield
 Reeves v. Nevill (F D, C)
 Butterfield v. Heath (E)
 Ashwin v. Williams (F D)

Towns v. Farmer (Cl)
 George v. Wilkinson (Cl)
 Millican v. Vanderplank (Cl)
 Hodgkins v. Hodgkins (F D,
 C)
 Blanchard v. Holmes (Cl)
 Dugdale v. Dugdale (F D)
 Philpot v. Reader (Cl)
 Osborne v. Thorne (Cl).

London Gazettes.

TUESDAY, FEBRUARY 4.

BANKRUPTS.

WILLIAM HOOD, Lawrence-lane, Cheapside, London, commission agent and warehouseman, Feb. 14 at 2, and March 18 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Pain & Hatherly, 5, Gresham-street, City, and 5, Great Marlborough-street.—Petition filed Nov. 11.

RICHARD TREDINNICK, Threadneedle-street, London, mining agent and auctioneer, dealer and chapman, Feb. 15 at 12, and March 29 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Sole & Turner, Aldermanbury, London.—Petition dated Jan. 27.

ANDREW EVE, Charlotte-street, Fitzroy-square, St. Pancras, Middlesex, turner and dealer in veneers, Feb. 14 at half-past 12, and March 18 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Colombine, 87, St. Martin's-lane.—Petition filed Feb. 1.

CHARLES WATT, Southampton-street, Pentonville, Middlesex, baker, Feb. 12 at half-past 12, and March 18 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Tweed, Lincoln's-inn-fields.—Petition filed Jan. 30.

MEETINGS.

Wm. Leather, London-wall, London, warehouseman, Feb. 15 at 11, Court of Bankruptcy, London, pr. d.—*Edward Emerson and Barnabas Fenwick*, Stella, Durham, and Newcastle-upon-Tyne, ironfounders, Feb. 25 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, ch. ass.—*Jos. Haley and Wm. Thomason*, Manchester, cotton manufacturers, Feb. 14 at 12, District Court of Bankruptcy, Manchester, last ex.—*J. Jones*, Brynmawr, Llanely, Breconshire, coal merchant, Feb. 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*C. Robinson*, Liverpool, sailmaker, Feb. 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Durham*, Workop, Nottinghamshire, miller, Feb. 15 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Wm. Carter*, High-street, Southwark, Surrey, shoemaker, Feb. 25 at 11, Court of Bankruptcy, London, div.—*Wm. F. Harris*, Friday-street, Cheapside, London, Manchester warehouseman, Feb. 25 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Pottinger*, Island of Jersey, *Henry Howell*, Charles-street, Manchester-square, Middlesex, and *Alexander Oswald*, Adelaide-row, Hampstead, Middlesex, merchants, March 6 at 1, Court of Bankruptcy, London, div. sep. ests. of *T. Pottinger and A. Oswald*.—*Geo. J. Sharp*, Duke-street, Tooley-street, Southwark, Surrey, tailor, Feb. 25 at 2, Court of Bankruptcy, London, div.—*Job Spender*, Berkeley-villas, Loughborough-park, Brixton, Surrey, builder, Feb. 25 at 1, Court of Bankruptcy, London, div.—*H. E. Tuck*, New Cavendish-street, Marylebone, Middlesex, milliner, Feb. 25 at 1, Court of Bankruptcy, London, div.—*Wm. Ireland*, *N. Cabert*, *Jos. Overend*, and *Corney Tomlinson*, Lancaster, merchants, Feb. 26 at 12, District Court of Bankruptcy, Manchester, div.—*N. Hedge*, Bath, silversmith, Feb. 27 at 11, District Court of Bankruptcy, Bristol, div.—*William Pile and John Pile*, Monkwearmouth, Durham, shipbuilders, Feb. 26 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Eliz. Aydon and Thos. W. Ferguson*, Newcastle-upon-Tyne, grocers, Feb. 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Geo. Hornsby and Robt. P. Mould*, Newcastle-upon-Tyne, builders, Feb. 26 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. sep. est. of *Geo. Hornsby*.—*George Steele*, Durham, grocer, Feb. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*H. Cranston*, Sunderland, Durham, chemist, Feb. 26 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Edward Hedges, Chilton Foliat, Wiltshire, builder, Feb. 25 at 12, Court of Bankruptcy, London.—*Edward Brewster*, Hand-court, Upper Thames-street, London, printer, Feb. 27 at 2, Court of Bankruptcy, London.—*G. S. Jenks*, King-st., Hammersmith, Middlesex, cheesemonger, Feb. 25 at 12, Court of Bankruptcy, London.—*H. Byske*, Brighton, builder, Feb. 26 at 1, Court of Bankruptcy, London.—*Robt. Rising*, Frith-street, Soho, and Lower Berkeley-street, Middlesex, dealer in casts, Feb. 26 at 12, Court of Bankruptcy, London.—*Wm. Smith*, Canal-road, Kingland, Middlesex, timber merchant, Feb. 26 at half-past 12, Court of Bankruptcy, London.—*Henry George Stahlischmidt*, Fenchurch-street, London, merchant, Feb. 26 at 11, Court of Bankruptcy, London.—*Wm. Carter*, High-street, Southwark, Surrey, shoemaker, Feb. 26 at half-past 1, Court of Bankruptcy, London.—*Jas. Fielding*, Middleton, Lancashire, provision dealer, Feb. 28 at 11, District Court of Bankruptcy, Manchester.—*Robert Challam*, Goole, Yorkshire, innkeeper, Feb. 27 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Robert Dever, Cornhill, London, cook.—*William Binder*, Orsett, Essex, builder.—*Arthur Beard*, Liverpool and Bootle, wine merchant.—*Jonas Haley*, Batley Carr, Dewsbury, Yorkshire, machine maker.

PETITION ANNULLED.

Edward Armytage, Clifton-bridge, near Halifax, and Colne-bridge, near Huddersfield, Yorkshire, cotton spinner.

SCOTCH SEQUESTRATIONS.

David Jack & Co., Glasgow, stationers.—*Alexander Somerville*, Longstone, near Slateford, innkeeper.—*James Rose*, Banff, banker.—*Adam Pendrigh*, Edinburgh, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Penrith, West Derby, Lancashire, butcher, Feb. 10 at 9, County Court of Lancashire, at Liverpool.—*Jos. M. Cartin*, Liverpool, grocer, Feb. 10 at 9, County Court of Lancashire, at Liverpool.—*William North*, Hyde, Cheshire, gentleman's gardener, Feb. 10 at 9, County Court of Lancashire, at Liverpool.—*John Alcock*, Liverpool, commercial traveller, Feb. 10 at 10, County Court of Lancashire, at Liverpool.—*Jas. Newcomb*, Liverpool, out of business, Feb. 10 at 9, County Court of Lancashire, at Liverpool.—*John Davies*, Liverpool, slater, Feb. 10 at 9, County Court of Lancashire, at Liverpool.—*John Wallman Watson*, Caxton, Cambridgeshire, farming bailiff, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*George Isaac Fiddaman*, Cambridge, tailor, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*Frederick Buxey*, Portsea, Southampton, market gardener, Feb. 18 at 10, County Court of Hampshire, at Portsmouth.—*John Cunningham*, Stockbridge, Southampton, gentleman, Feb. 28 at 11, County Court of Hampshire, at Romsey.—*William Whitfield Snook*, Landport, Portsea, Hampshire, layer in the ropery in her Majesty's dockyard at Portsmouth, Feb. 18 at 10, County Court of Hampshire, at Portsmouth.—*Francis William Richardson Lamburn*, Plymouth, Devonshire, clerk in her Majesty's Royal Navy, Feb. 27 at 11, County Court of Devonshire, at East Stonehouse.—*Thomas Jones*, Iron Acton, Gloucestershire, butcher, Feb. 18 at 3, County Court of Monmouthshire, at Newport.—*John James*, Bristol, baker, March 26 at 11, County Court of Gloucestershire, at Bristol.—*John Jefferies Burley*, Bristol, beer retailer, March 26 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Pearce*, Bristol, paperhanger, March 26 at 11, County Court of Gloucestershire, at Bristol.—*Elizabeth Poindestire*, Bristol, retailer of beer, Feb. 12 at 11, County Court of Gloucestershire, at Bristol.—*Anthony Harris*, Bristol, baker, Feb. 26 at 11, County Court of Gloucestershire, at Bristol.—*John Robertshaw*, Halifax, Yorkshire, butcher, Feb. 18 at 10, County Court of Yorkshire, at Todmorden.—*William Roberts*, Bideford, Devonshire, innkeeper, Feb. 6 at 10, County Court of Devonshire, at Bideford.—*Sarah Johns*, Newport, Monmouthshire, innkeeper, Feb. 18 at 3, County Court of Monmouthshire, at Newport.—*John Summerfield*, Trevethin, Mon-

mouthshire, licensed innkeeper, Feb. 25 at 10, County Court of Monmouthshire, at Pontypool.—*Stephen Potts*, Wylam, Northumberland, butcher, Feb. 24 at 11, County Court of Northumberland, at Hexham.—*Lancelot Newton*, Hexham, Northumberland, market gardener, Feb. 24 at 11, County Court of Northumberland, at Hexham.—*Robert Heffer*, Parham, Suffolk, miller, Feb. 20 at 9, County Court of Suffolk, at Framlingham.—*Mark Tye*, Eye, Suffolk, bricklayer, Feb. 17 at 2, County Court of Suffolk, at Eye.—*David Lock*, Bury St. Edmund's, Suffolk, coachmaker, Feb. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*G. M. Money*, Thurlton, Norfolk, lieutenant on half-pay in her Majesty's 12th Regiment of Foot, Feb. 18 at 1, County Court of Suffolk, at Beccles.—*Isaac Jackson* the younger, Walton, Suffolk, carpenter, Feb. 20 at 1, County Court of Suffolk, at Woodbridge.—*John Payne*, Southampton, man milliner, Feb. 17 at 10, County Court of Hampshire, at Southampton.—*George Sweetingham*, Holyhood, Southampton, cordwainer, Feb. 17 at 10, County Court of Hampshire, at Southampton.—*Matthew Morra*, Portsea, Southampton, grocer, Feb. 18 at 10, County Court of Hampshire, at Portsmouth.—*Mary Ann Taylor*, Portsea, Hampshire, greengrocer, Feb. 18 at 10, County Court of Hampshire, at Portsmouth.—*Wm. W. Sargent*, Hastings, Sussex, fish buyer, Feb. 24 at 11, County Court of Sussex, at Hastings.—*Thomas Kenning*, Watford, Northamptonshire, farmer, Feb. 10 at 12, County Court of Northamptonshire, at Daventry.—*David Collingbourne*, Alcester, Warwickshire, plumber, Feb. 14 at 10, County Court of Warwickshire, at Alcester.—*Charles Groves*, Ventnor, Newchurch, Isle of Wight, Southampton, grocer, Feb. 19 at 10, County Court of Hampshire, at Newport.—*Richard Coates*, Kidderminster, Worcestershire, brewer, Feb. 19 at 9, County Court of Worcestershire, at Kidderminster.—*David Price*, Llanvabon, Glamorganshire, carpenter, Feb. 11 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*David Jones*, Clyre, Radnorshire, saddler, Feb. 17 at 10, County Court of Brecknockshire, at Hay.—*S. Webster*, Needingworth, Huntingdonshire, butcher, Feb. 18 at 1, County Court of Huntingdonshire, at Huntingdon.—*W. Benton*, Earith, Huntingdonshire, horse dealer, Feb. 18 at 1, County Court of Huntingdonshire, at Huntingdon.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 19 at 11, before the CHIEF COMMISSIONER.

George Henry Laporte, Paddington-green, Paddington, Middlesex, artist.—*Wm. Fenn*, Seymour-place, John-street, Upper Holloway, Middlesex, bricklayer.—*William Stacey*, Middle Copenhagen-st., Islington, Middlesex, pork butcher.—*Daniel Bridger*, Princes-road, Kennington-cross, Surrey, jobbing carpenter.

Feb. 19 at 10, before Mr. Commissioner LAW.

Charles Humphreys, High-st., Camden-town, Middlesex, grocer.—*George Moulding*, Shoulham-st., Bryanstone-sq., Middlesex, fire-wood cutter.—*Cornelius Soule*, Old Church-street, Paddington, Middlesex, assistant to a linendraper.

Saturday, Feb. 1.

The following Assignees has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

William Ashcroft, Standish-with-Langtree, near Wigan, Lancashire, tailor, No. 73,095 C.; *George Parker*, assignee.

Saturday, Feb. 1.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

John Colegate, Cambridge-terrace, Cambridge-road, Mile-end, Middlesex, coal merchant: in the Debtors Prison for London and Middlesex.—*Thomas S. Wallis*, Herne-place, Herne-hill, Camberwell, Surrey, doctor of music: in the Debtors Prison for London and Middlesex.—*George Russell*, Burton-street, Burton-crescent, Middlesex, miller: in the Debtors Prison for London and Middlesex.—*Roston Hulls*, Cumberland-market, Regent's-park, Middlesex, baker: in the

Debtors Prison for London and Middlesex.—*Eliza D. Wyld*, widow, Norfolk-street, Strand, Middlesex, in no business: in the Queen's Prison.—*Frederick Bayley*, Ramsgate, Kent, bricklayer: in the Debtors Prison for London and Middlesex.—*Charles Nash*, Tyler's New-town, Kent, and Southampton-street, Westminster, Middlesex, parliamentary agent: in the Debtors Prison for London and Middlesex.—*Benj. Peverley*, Spencer-st., Cross-street, Lower-road, Islington, Middlesex, attorney's clerk: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Benj. Hubble, Garden-row, New-town, Deptford, Kent, bricklayer: in the Queen's Prison.

(On their own Petitions).

Edmund Andrew, Middleton, near Manchester, grocer: in the Gaol of Lancaster.—*Samuel Boys*, Armley, near Leeds, Yorkshire, commercial traveller: in the Gaol of York.—*Jas. Castle*, Salford, Lancashire, out of employment: in the Gaol of Lancaster.—*John Edwards*, Penylan, Ruabon, Denbighshire, farmer: in the Gaol of Ruthin.—*Joseph Harlley*, Holmfirth, near Huddersfield, Yorkshire, woollen scribbler: in the Gaol of York.—*Robert Harding*, Staleybridge, Lancashire, out of employment: in the Gaol of Lancaster.—*T. Owen Jones*, Hulme, Manchester, grocer: in the Gaol of Lancaster.—*George Moorhouse*, Earlsheaton, near Dewsbury, Yorkshire, blanket manufacturer: in the Gaol of York.—*Nash Moorhouse*, Earlsheaton, near Dewsbury, Yorkshire, blanket manufacturer: in the Gaol of York.—*Joseph Moorhouse*, Earlsheaton, near Dewsbury, Yorkshire, blanket manufacturer: in the Gaol of York.—*James Robinson*, Tewitfield, Priest Hutton, near Lancaster, blacksmith: in the Gaol of Lancaster.—*Thomas Ravelin*, Liverpool, surgeon: in the Gaol of Lancaster.—*John Tusting*, Kingston-upon-Hull, livery-stable keeper: in the Gaol of Kingston-upon-Hull.—*John Taylor*, Ashton-under-Lyne, Lancashire, out of employment: in the Gaol of Lancaster.—*Edward Bluck*, Birkenhead, near Liverpool, attorney-at-law: in the Gaol of Lancaster.—*Henry Merrick Elderton*, Cranbams, near Cirencester, Gloucestershire, editor and manager of the Wilts and Gloucestershire Standard newspaper: in the Gaol of Gloucester.—*Joseph Holt*, Manchester, dyer: in the Gaol of Lancaster.—*Isaac Welford*, Brownon-bank, near Richmond, Yorkshire, farmer: in the Gaol of York.—*Henry Lockyer*, St. Michael, Southampton, leatherseller: in the Gaol of Southampton.—*George Albert*, Seal, near Sevenoaks, Kent, lieutenant and adjutant in the West Kent yeomanry cavalry: in the Gaol of Maidstone.—*James Peers*, Stockport, Cheshire, hat manufacturer: in the Gaol of Chester.—*Thomas Garrod*, Hadleigh, Suffolk, tailor: in the Gaol of Ipswich.—*Benj. Hey*, Thornton, near Bradford, Yorkshire, worsted weaver: in the Gaol of York.—*Jos. Jackson*, Wiston, near Selby, Yorkshire, labourer: in the Gaol of York.—*Joseph Langridge* the younger, Brighton, Sussex, out of business: in the Gaol of Lewes.—*Charles Marsh*, Yarm, near Stokesley, Yorkshire, out of business: in the Gaol of York.—*Isaac Williams*, Pontrhydyfer, Llanwrtyd, Brecknockshire, cattle drover: in the Gaol of Brecknock.—*Benj. Wood* the younger, Leeds, Yorkshire, spirit merchant: in the Gaol of York.—*Mauley Hitchen*, Hipperholme-cum-Brighouse, near Halifax, Yorkshire, not in any business: in the Gaol of York.—*Benj. Derrall*, Birmingham, butcher: in the Gaol of Coventry.—*Thos. Forall*, Elland, near Halifax, Yorkshire, gas engineer: in the Gaol of York.—*Henry Railton*, Brighton, Sussex, tailor: in the Gaol of Lewes.—*Thos. Walker*, Wootton, Lincolnshire, blacksmith: in the Gaol of Lincoln.—*John Vickers Eggleton*, Manchester, assistant to a chemist: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 18 at 11, before the CHIEF COMMISSIONER.

Henry Wright, Norland-road, Shepherd's-bush, Middlesex, plasterer.—*Edw. Wm. Wyon*, Stanhope-st., Hampstead-road, Middlesex, sculptor.—*Thomas Morris*, Thanet-place, High-st., Hounslow, Middlesex, plumber.

Feb. 19 at 10, before Mr. Commissioner LAW.

Charles Heseltine, Park-walk, Chelsea, Middlesex, clerk and traveller to timber merchants.

Feb. 20 at 11, before Mr. Commissioner PHILLIPS.

Thos. Cooke Balding, High-st., Marylebone, Middlesex, out of business.—*Wm. Bellingham* the younger, Dean-street South, St. Thomas-st. East, Southwark, Surrey, medical student.—*Wm. Sims*, Gray's-inn-lane, Middlesex, labourer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at PETWORTH, Feb. 21.

Wm. Hill Wismill, Arundel, out of business.—*William Parker*, Horsham, corn dealer.

At the County Court of Hampshire, at the CASTLE OF WINCHESTER, Feb. 20.

Edmund Perfect, Headley, carpenter.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas Blackwell, Watts-cross, Tunbridge, Kent, miller, Feb. 7, Alleyne & Co.'s, Tunbridge: 1s. 0½d. in the pound.

FRIDAY, FEBRUARY 7.

BANKRUPTS.

JOHN SKAM, Studley-road, Clapham-road, Surrey, builder, dealer and chapman, Feb. 13 at 11, and March 13 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Quality-court, Chancery-lane.—Petition filed Feb. 4.

JOHN SLATER MARSHALL, Goswell-road, Clerkenwell, Middlesex, boot and shoe dealer, Feb. 15 at 11, and March 29 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Jones, Quality-court, Chancery-lane.—Petition dated Feb. 4.

ABRAHAM FRIEDEBERG, Houndsditch, London, furrier, Feb. 21 at half-past 12, and March 21 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Vincent & Randall, 8, Castle-street, Holborn.—Petition dated Feb. 5.

JAMES DIXON, Morley, Batley, Yorkshire, dyer, dealer and chapman, Feb. 28 and March 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds.—Petition dated and filed Feb. 3.

JOHN WYATT the younger, sometimes called **ROBERT WYATT**, Milverton, Somersetshire, grocer, draper, and general dealer, Feb. 18 and March 11 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Stanley & Wasbrough, Bristol; Stogdon, Exeter.—Petition filed Jan. 31.

JAMES SHIRT, Frodham, Cheshire, provision dealer, dealer and chapman, Feb. 24 and March 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Roby, Liverpool; Gregory & Co., Bedford-row, London.—Petition dated Feb. 5.

MEETINGS.

David Douglas, Chorlton-upon-Medlock, Manchester, draper, Feb. 20 at 12, District Court of Bankruptcy, Manchester, last ex.—*Edw. Brewster* and *Edw. West*, Hand-court, Dowgate, London, printers, Feb. 18 at 11, Court of Bankruptcy, London, aud. ac.—*John Curd*, Grove-st., Camden-town, Middlesex, cheesemonger, Feb. 20 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Stanton*, Buckingham, watchmaker, Feb. 20 at 1, Court of Bankruptcy, London, aud. ac.—*Christopher Grindel* and *James Grace*, Jermyn-st., St. James's, Middlesex, licensed victuallers, Feb. 25 at 11, Court of Bankruptcy, London, aud. ac.—*Mary Davis*, Bristol, spirit dealer, Feb. 20 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Sitvanus Vick*, Brecon, victualler, Feb. 27 at 11, District Court of Bankruptcy, Bristol, aud. ac.; March 6 at 11, div.—*John Chell*, Manchester, oilman, Feb. 18 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*Williams Ireland*, Nath. Calvert, Jas. Overend, and Corney Tomlinson, Lancaster, merchants, Feb. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Jas. Thompson*, Manchester, cement dealer, Feb. 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Thomas Hampson*, Liverpool, broker, Feb. 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Steele*, Durham, grocer, Feb. 25 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Pile* and *John Pile*, Monkwearmouth, Durham, shipbuilders, Feb. 26 at 11, District Court of Bankruptcy, Newcastle-upon-

Tyne, aud. ac. joint est., and aud. ac. sep. est. of *John Pile*.—*Roger Upton*, Dawlish, Devonshire, grocer, Feb. 24 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*John Burnard*, Bideford, Devonshire, painter, Feb. 24 at 1, District Court of Bankruptcy, Exeter, aud. ac.; March 6 at 1, div.—*John Budge Sparke*, Torquay, Devonshire, hatter, Feb. 24 at 1, District Court of Bankruptcy, Exeter, aud. ac.; March 6 at 1, div.—*E. Effer*, Totnes, Devonshire, victualler, March 4 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*C. Veale*, Uffculme, Devonshire, baker, March 4 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Morfitt* the younger, Leeds, Yorkshire, flax spinner, Feb. 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Ann Graves*, Snaith, Yorkshire, innkeeper, Feb. 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Turnbull*, Scarborough, Yorkshire, linendraper, Feb. 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*C. Ware*, York, saddler, Feb. 20 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*M. D. Robinson*, Dudley, Worcestershire, confectioner, March 6 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; March 13 at 12, div.—*Wm. Palmer* and *F. M. Palmer*, Loughborough, Leicestershire, hosiers, March 7 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.—*P. H. Abbott*, King's Arms-yard, Moorgate-street, London, merchant, Feb. 28 at 12, Court of Bankruptcy, London, div.—*George Langford*, Southampton, grocer, Feb. 28 at 12, Court of Bankruptcy, London, div.—*Andrew Smith*, Marylebone-street, Regent-street, and Mill-wall, Poplar, Middlesex, wire-rope manufacturer, March 1 at 11, Court of Bankruptcy, London, div.—*Robert Noble*, Leadenhall-street, London, tailor, March 6 at 2, Court of Bankruptcy, London, div.—*H. W. Hemsworth*, Primrose-street, Bishopsgate-street, wine merchant, March 4 at 11, Court of Bankruptcy, London, fin. div.—*H. Craske*, Wickham Skeith, Suffolk, grocer, March 4 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Woodroffe*, Webb's County-terrace, New Kent-road, Surrey, druggist, March 4 at 12, Court of Bankruptcy, London, div.—*Wm. Pike*, Reading, Berkshire, tobacconist, Feb. 28 at 1, Court of Bankruptcy, London, div.—*Wm. Miller* and *Alex. Miller*, Liverpool and Bootle, Lancashire, wine merchants, Feb. 28 at 11, District Court of Bankruptcy, Liverpool, div.—*John Marsh*, Rotherham, Yorkshire, grocer, March 1 at 10, District Court of Bankruptcy, Sheffield, div.—*H. Parker*, O. Shore, John Brewin, and John Rodgers, Sheffield, Yorkshire, bankers, March 1 at 11, District Court of Bankruptcy, Sheffield, div. sep. est. of *John Rodgers*, and div. sep. est. of *John Brewin*.—*John Yeomans*, Sheffield, Yorkshire, merchant, March 1 at 10, District Court of Bankruptcy, Sheffield, div.—*Geo. W. Hinchcliffe*, Sheffield, Yorkshire, manufacturer, March 1 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry Johnson, Bishopsgate-street Without, London, tea dealer, Feb. 28 at half-past 11, Court of Bankruptcy, London.—*Abraham Provost*, Peterborough, linendraper, March 6 at half-past 11, Court of Bankruptcy, London.—*John Barber*, Eaton Socon, Bedfordshire, builder, Feb. 28 at 1, Court of Bankruptcy, London.—*H. M. East*, Mark-lane, London, stationer, Feb. 28 at 12, Court of Bankruptcy, London.—*S. Vick*, Brecon, victualler, March 5 at 11, District Court of Bankruptcy, Bristol.—*James Priestley*, Radcliffe, Lancashire, cotton spinner, March 4 at 12, District Court of Bankruptcy, Manchester.—*James Jolley* and *Wm. Jackson*, Wigan, Lancashire, acetic acid manufacturers, March 4 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

W. Simpson, Manchester, starch manufacturer.—*F. Young*, Basinghall-street, London, woollen warehouseman.—*William Gibbs*, Throgmorton-street, London, stockbroker.—*James Urry*, Landport, Portsea, Hampshire, brewer.—*R. Allison* and *Thos. Allison*, Dean-street, Soho, Middlesex, pianoforte manufacturers.—*Wm. King*, Gravesend, Kent, draper.—*A. Miller*, Emsworth, Southampton, ropemaker.—*H. Higgins*, Bilston, Staffordshire, grocer.

PETITION ANNULLED.

Adolph Berend and *Isidore Bloomenthal*, Weymouth-place, New Kent-road, Surrey, cigar merchants.

PARTNERSHIP DISSOLVED.

John Nash and *John Howell Nash*, Cheppin Wycombe, Buckinghamshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Hoseason & Co., Glasgow, merchants.—*Aitken, Mathie, & Co.*, Glasgow, ironfounders.—*Alexander Brown*, deceased, Glasgow, manufacturer.—*Alexander Graham*, Bars, near Cumnock, contractor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas John Page, Brighton, Sussex, grocer, Feb. 14 at 12, County Court of Sussex, at Brighton.—*James Harrison*, Great Driffield, Yorkshire, gunsmith, Feb. 18 at 10, County Court of Yorkshire, at Great Driffield.—*Samuel Brett*, Glemsford, Suffolk, farmer, March 1 at 11, County Court of Suffolk, at Sudbury.—*Peter Smith*, Church Fenton, near Tadcaster, Yorkshire, out of business, Feb. 24 at 10, County Court of Yorkshire, at Boston.—*Rich. Houlding*, Tolleahunt D'Arcy, Essex, horse dealer, Feb. 25 at 12, County Court of Essex, at Maldon.—*John Robson*, Bedale, Yorkshire, farmer, Feb. 15 at half-past 10, County Court of Yorkshire, at Northallerton.—*John Edwards*, Shoothill, Ford, Shropshire, farm labourer, Feb. 18 at 10, County Court of Shropshire, at Shrewsbury.—*Geo. Hutchinson*, Maunly-upon-Swale, Kirby Wiske, Yorkshire, cordwainer, Feb. 19 at half-past 10, County Court of Yorkshire, at Thirsk.—*Wm. Alfred Ottway*, Maldon, Essex, veterinary surgeon, Feb. 25 at 12, County Court of Essex, at Maldon.—*Elizabeth Morton*, widow, Miserdine, Gloucestershire, out of business, Feb. 26 at 10, County Court of Gloucestershire, at Stroud.—*Robert Lawrence Nicholson*, Chesterton, Cambridgeshire, assistant to a brewer, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*Jonathan Galley Gunton*, Cambridge, butcher, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*William Mynott*, Cambridge, shoemaker, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*James Mori*, Woodchurch, Cheshire, commission agent, Feb. 14 at 10, County Court of Cheshire, at Birkenhead.—*Margaret Parkes*, Rhyl, Flintshire, licensed victualler, Feb. 27 at 11, County Court of Flintshire, at St. Asaph.—*John Gibson*, Laxfield, Suffolk, bricklayer, Feb. 20 at 9, County Court of Suffolk, at Framlingham.—*William Nickells*, Colchester, Essex, market gardener, Feb. 24 at 12, County Court of Essex, at Colchester.—*William Woodward*, Wivenhoe, Essex, mariner, Feb. 24 at 12, County Court of Essex, at Colchester.—*Nathan Funnell*, Little Clacton, Essex, out of business, Feb. 24 at 12, County Court of Essex, at Colchester.—*William Morris*, Gloucester, upholsterer, Feb. 27 at 10, County Court of Gloucestershire, at Gloucester.—*Thomas Smith*, Gloucester, hatter, Feb. 27 at 10, County Court of Gloucestershire, at Gloucester.—*William Bateman*, Bury St. Edmund's, Suffolk, baker, Feb. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*John Blanchard Simpson*, Wheelgate, New Malton, Yorkshire, chemist, Feb. 25 at half-past 10, County Court of Yorkshire, at New Malton.—*Edward Pettie*, Bradfield St. George, Suffolk, bricklayer, Feb. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*George Cowling*, Cheltenham, Gloucestershire, bookseller, Feb. 25 at 10, County Court of Gloucestershire, at Cheltenham.—*John Rowlison* the younger, Wicken, Cambridgeshire, butcher, Feb. 21 at 2, County Court of Cambridgeshire, at Soham.—*John Jones*, Carmarthen, victualler, Feb. 25 at 2, County Court of Carmarthenshire, at Carmarthen.—*John Middleton* the elder, Hertford, Slater, Feb. 22 at 11, County Court of Hertfordshire, at Hertford.—*Jas. Floyd* the younger, Great Missenden, Buckinghamshire, out of business, Feb. 14 at 11, County Court of Buckinghamshire, at Chesham.—*Benjamin Sutcliffe*, Carry-bridge, within Colne, Lancashire, sub-inspector of worsted, Feb. 26 at 11, County Court of Lancashire, at Colne.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 21 at 11, before the CHIEF COMMISSIONER.

Alfred S. Francis, Cranbourn-st., Leicester-sq., Middlesex, assistant to a warehouseman.

Feb. 21 at 10, before Mr. Commissioner LAW.

John Ashby, Layton's-grove, Surrey, out of business.—F. W. Dwarries, Queen-st., Golden-sq., Middlesex, clerk in the Queen's Bench Writ-office.

Feb. 22 at 11, before Mr. Commissioner PHILLIPS.

Thomas Slim, Redman's-row, Mile-end, Middlesex, pig dealer.—James M'Gill, Crimscoth, Grange-road, Bermondsey, Surrey, shoemaker.—Thomas Felton, Great Russell-street, Covent-Garden, Middlesex, out of business.—Wm. Clarke, North-st., Maida-hill, Paddington, Middlesex, painter.

Feb. 24 at 10, before Mr. Commissioner LAW.

John Baler, Dartmouth-street, Westminster, Middlesex, greengrocer.—Henry E. Voules, Albert-terrace, Bishop's-road, Paddington, Middlesex, clerk to an attorney.

Feb. 24 at 11, before Mr. Commissioner PHILLIPS.

Richard Galliers, Worship-street, Finsbury, Middlesex, grocer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 21 at 11, before the CHIEF COMMISSIONER.

William Ray, Chalton-st., Somers-town, Middlesex, coal merchant.—George Russell, Burton-street, Burton-crescent, Middlesex, in no business.

Feb. 21 at 10, before Mr. Commissioner LAW.

John Edwards, Edward-street, High-st., Deptford, Kent, iron merchant.

Feb. 24 at 10, before Mr. Commissioner LAW.

Henry J. Ford, Trinity-square, Newington, Surrey, railway clerk.—Wm. Spratt the elder, Portland-place, Clapton-sq., Middlesex, beer-shop keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, Feb. 25.

Henry Raiton, Brighton, tailor.—Joseph Langridge the younger, Brighton, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Feb. 27 at 10.

Alfred Arnold, Chipping Sodbury, out of business.

At the County Court of Yorkshire, at YORK CASTLE, Feb. 22 at 10.

Isaac Welford, Brownson-bank, near Richmond, farmer.—Mauley Hitchen, Hipperholme-cum-Brighouse, near Halifax, gentleman.—George James, West Witton, near Leyburn, shopkeeper.—Samuel Stocks, Bradford, out of business.—Joseph Hartley, Holmfirth, near Huddersfield, woollen scribbler.—James Brown, Selby, labourer.—Thomas Rawcliffe, Holbeck, near Leeds, out of business.—Saml. Boys, Armley, near Leeds, agent to a brewer.—Sidney Milnes, Berry Brow, near Huddersfield, licensed retailer of beer.—Jos. Moorhouse, Earlsheaton, near Dewsbury, out of business.—G. Moorhouse, Earlsheaton, near Dewsbury, out of business.—N. Moorhouse, Earlsheaton, near Dewsbury, out of business.—John Edeson, Austen, near Rotherham, corn miller.—John Foster, Allerton, near Bradford, farmer.—Wm. Winterburn, Kirkstall, near Leeds, engine-maker.—Joseph Jackson, Wistow, labourer.—Benjamin Hey, Thornton, near Bradford, worsted weaver.—Benjamin Wood the younger, Leeds, wine merchant.—James Wainman, Morley, near Leeds, out of business.—J. Ripley, Leeds, tailor.—Wm. Carson, Sheffield, joiner.—H. Fearnside, Leeds, out of business.

CIRCUITS OF THE JUDGES.

(Mr. Justice WIGHTMAN will remain in Town).

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| Monday, Feb. 17 | | | | | | | | Lancaster |
| Thursday ... 20 | | | | | | | | Appleby |
| Saturday ... 22 | | | | | | | | Carlisle |
| Wednesday... 26 | Hertford | | | | Abingdon | | | Newcastle & |
| Thursday ... 27 | ..... | ..... | ..... | Oakham | ..... | ..... | Swansea | [Town |
| Friday..... 28 | ..... | ..... | ..... | Northampt. | ..... | ..... | ..... | ..... |
| Saturd., March 1 | ..... | ..... | Winchester | ..... | Oxford | ..... | ..... | ..... |
| Monday.... 3 | Chelmsford | ..... | ..... | ..... | ..... | ..... | ..... | Durham |
| Wednesday.. 5 | ..... | ..... | ..... | Lincoln and | Worcester & | ..... | ..... | ..... |
| Friday..... 7 | ..... | ..... | ..... | [City | [City | ..... | Haverford- | ..... |
| Saturday.... 8 | ..... | ..... | Salisbury | ..... | ..... | ..... | [west & Ta. | York & City |
| Monday.... 10 | Lewes | Aylesbury | ..... | ..... | ..... | Welchpool | ..... | ..... |
| Tuesday ... 11 | ..... | ..... | ..... | Nottingham | Stafford | ..... | ..... | ..... |
| Wednesday.. 12 | ..... | ..... | ..... | [& Town | ..... | ..... | Cardigan | ..... |
| Thursday ... 13 | ..... | Bedford | Dorchester | Derby | ..... | Bala | ..... | ..... |
| Saturday ... 15 | ..... | ..... | ..... | ..... | ..... | Carnarvon | Carmarthen | ..... |
| Monday.... 17 | Maidstone | Huntingdon | ..... | ..... | ..... | ..... | ..... | ..... |
| Tuesday ... 18 | ..... | ..... | Exeter & City | ..... | ..... | ..... | ..... | ..... |
| Wednesday.. 19 | ..... | Cambridge | ..... | Leicest. & B. | Shrewsbury | Beaumaris | ..... | ..... |
| Friday..... 21 | ..... | ..... | ..... | Coventry | ..... | ..... | Brecon | ..... |
| Saturday ... 22 | ..... | ..... | ..... | Warwick | Hereford | Ruthin | ..... | Liverpool |
| Tuesday ... 25 | ..... | Norwich and | Bodmin | ..... | ..... | ..... | ..... | ..... |
| Wednesday.. 26 | Kingston | [City | ..... | ..... | Monmouth | Mold | Presteign | ..... |
| Saturday ... 29 | | | | | Gloucester & | Chester | Chester | |
| Tuesday, April 1 | | Bury St. Ed. | Taunton | | [City | | | |

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16th January, 1851.

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LONDON, FEBRUARY 15, 1851.

It seems that no appointment of a successor to Vice-Chancellor Wigram is intended to be made until Government shall have matured its general plans with reference to the Court of Chancery. Whether the plans alluded to are merely the plans supposed to be under consideration for cutting the Chancellor into two halves, remodeling or abolishing the Masters' offices, &c., or whether in them are included also the plans of reform in the procedure, committed to the care of the Chancery Commission, we have not heard. In either case very considerable delay must take place before any additional judge is appointed; while the state of the business in the Court of Chancery is such as not to brook any delay at all. This is easily shewn.

In the lists of equity causes issued, as set down in and before Hilary Term, (see ante, p. 3), there were before Knight Bruce, V. C., 356 causes; before Lord Cranworth, V. C., 236; before Lord Langdale, M. R., 169: in all, 761 original causes. From that period to the commencement of the present sittings on the 7th instant, the three Courts, viz. the Rolls and the two Vice-Chancellors' Courts, have been working steadily; and those who practise in them, know the great celerity with which business is disposed of in one at least of the courts. It is, in fact, of notoriety, that the judges have worked, and worked hard. It might be expected, then, that if the judicial strength were at all adequate, at least some portion of this great arrear would have been got rid of; that is, that the judges would have disposed of causes somewhat faster than they came on. Instead of that, the very reverse has been the state of things. After three weeks of hard work, the judges of the Court of Chancery, who began upon 760 causes, find themselves, according to the published lists of causes, (see ante, p. 4), in face of an army strengthened by upwards of 240—1000 being the arrear to be disposed

of, commencing on the 7th February. These lists only shew the *causes*; the petitions and motions, as the Profession well knows, make no public shew; but they occupy in reality a full half of the time of the Courts, so that for the disposal of these 1000 causes there are but three judicial days in a week. And it is in this state of business that the suitors of the court are to be coolly told, that until Government shall have completed and brought forward some large scheme which it is preparing, the very vastness of which will render it impossible that it should be settled by Parliament till late in the session, the judicial strength of the Court of Chancery is not to be increased, and arrears are to be allowed to accumulate at the rate (unless persons give up their rights from the fear of delay) of, at the very least, 100 causes per month, until the arrear will be so frightful, that not one or two, but five or six judges will be required to get through it.

This is not a political journal; nevertheless it may be permitted to us to say, that after providing for the personal safety and liberty of its subjects, the next duty of a government is to provide for the due administration of justice. Papal aggression, in the present temper of the people of this country, is, no doubt, a highly important, at any rate a highly interesting, subject; so is protection to the agricultural interest; so is the window tax; both of which matters, although no doubt they may be looked at under various aspects, are still subjects of great interest. Still, if one looks at the objects of all government, he will see that adequate protection to rights of property, adequate administration of the law of the country, whatever may be the law which the civilisation of that country has established, are a paramount want in every civilised, more particularly in every commercial, country. And such is the state of this country in regard to the law which is administered by Courts of equity, that those Courts, in spite of all their real defects—in spite of all the

hatred and obloquy which hostility and ignorance have sought to cast unjustly upon them, are still resorted to by the people, as the only tribunal where certain rights are to be obtained. That such is the fact is obvious, if we consider the enormous amount of business which it is proved has been thrown, and voluntarily thrown, into the court. Why, then, should the Government of the country refuse to the people the executive power necessary for administering that law, which the people shew they are desirous of having, by the fact of their seeking it? It is idle to say that the suitors are dragged into the Court of Chancery by their solicitors; that might as well be said of any and every course of litigatory proceeding. The real truth is simply this—given claims can only be enforced in equity; there is a vast amount of such claims; the claimants are anxious for justice; and the most prominent obstacle to their obtaining it, is the fact that Government has not provided, and will not provide, sufficient judges to administer justice to the people.

Is this a state of things which a just and prudent Minister ought to desire or to perpetuate for party, or for any purpose? We apprehend not; and we do hope, that, having regard to the state of business in the Court of Chancery—having regard to the time that must be consumed before any comprehensive scheme of reform can be carried into effect—having regard to the circumstance, that, whatever may be the scheme ultimately adopted, the judicial strength of the Court of Chancery must be increased—Parliament will compel the Government at once to give to the public that which is most imperatively needed—the assistance of at least one additional Vice-Chancellor.

ON THE PRIVILEGE TO RESIST PRODUCTION OF DOCUMENTS IN A SUIT IN EQUITY.

(Continued from p. 31).

THE following notices of recent cases on the remaining grounds of privilege will conclude our observations on this subject:—

The further rules we before deduced were, first, that where the documents are cases for the opinion of counsel, or confidential letters between the defendant and his solicitor, not containing legal advice or opinions, to entitle them to protection when they are relevant, and in his possession, the defendant must aver distinctly in his answer, or in affidavits in support thereof, that the cases were submitted to counsel and the letters written *in contemplation of the existing suit*, (or of an action which is part of the same litigation), *and with reference thereto*; and as to the letters, that they were written *in confidence to his solicitor in that character*, or that the cases were submitted and the confidential communications with his solicitor passed *after the dispute which occasioned the existing suit had arisen*, or *after the actual commencement of the suit*.

It should be remarked, that it is not essential to this claim of privilege that the litigation, in contemplation of which the cases and letters were prepared and written, should be the very suit in which the privilege is claimed; it is sufficient, it seems, that they were prepared and written in contemplation of litigation on the same subject, though in other suits and with other parties. (*Holmes v. Baddeley*, 1 Ph. 476).

Documents of this first class must be admitted to relate to the matters in the bill mentioned, or the mo-

tion will be refused. Thus, where, (*Haverfield v. Pyman*, 2 Ph. 202), after an answer containing such an admission, the plaintiff, by amendment, struck out from the bill that part of his case to which the particular documents had reference, and then moved for production upon the original answer, the Lord Chancellor said that this answer contained no admission that they related to the matters in the bill as amended, and discharged the Vice-Chancellor of England's order for their production. This case is, in principle, an authority for the rule, that any amendment will prevent the plaintiff from moving for the production of documents without a further answer. Probably, however, the amendment must be material, so as to raise a doubt concerning the actual relevancy of the documents to the plaintiff's altered statement. (*Reynell v. Sprye*, 11 Beav. 618).

Where (*Beadon v. King*, 17 Sim. 34) the claim of privilege was because the letters in question were written in the course of and for the purpose of professional business between the defendant and his late father, and their solicitors employed to transact such business, without stating that they were in contemplation of the suit, the late Vice-Chancellor of England ordered these letters to be produced, because the statement was nothing more than that the letters related to the property, and no ground for protecting them was shewn.

The documents must be stated to be in the defendant's possession, or an order for their production will not be made; and this possession means exclusive legal possession; for if the answer state that the particulars inquired for are in the defendant's possession jointly with another person not a party to the cause, the Court will not order him to produce them, although they may be in his actual corporeal possession, because, in the first place, he may not be able to obey such an order, and also because another party, not present, has an interest in the documents, with which the Court cannot deal. (*Taylor v. Rundell*, Cr. & Ph. 104; *Murray v. Walter*, Id. 114; *Reid v. Langlois*, 1 Mac. & G. 636).

The possession of an agent is, for the purpose of compelling production, the possession of the principal, where the documents are in the agent's custody as such agent; but not where the agent has a property in them independently of his fiduciary relation. In other words, the fact that B. has been employed as the agent of A. does not give a party suing A. a right to the possession of all B.'s own papers, but only of such as were in his possession as A.'s agent. (*Reid v. Langlois*, *ubi sup.*)

Another important point decided in the last case is, that letters written by the defendant to a third person, to be communicated to the defendant's solicitor, are entitled to protection in the same manner as letters to the solicitor himself, without the intervention of a third party; and it seems it is not necessary to shew any particular necessity for communicating thus through a third party, to enable the defendant to claim the privilege. But the ground of professional confidence not existing in the case of a letter from the defendant to an agent, who is not a solicitor, such a letter is not protected, unless stated to be sent for the purpose of being communicated to a solicitor.

In one case the Master of the Rolls is reported to have said, (*Penruddock v. Hammond*, 11 Beav. 69), generally, that "it is clear, according to the recent decisions in the court above, that communications between a man and his professional adviser are privileged, though they may not have taken place in contemplation of a litigation which has afterwards arisen." But the documents then under consideration, and to which this observation immediately referred, were cases, and opinions of counsel upon them, only; and therefore the report cannot be an authority for extending as large a privilege to letters between the defendant and his soli-

citor not containing legal advice: indeed, the words employed, "communications between a man and his professional adviser," apply, in strictness, only to such communications as contain professional advice, which are distinguished, as we have seen, from other communications between a party and his solicitor.

Correspondence between a defendant and his solicitor, with reference to the matters in question in the suit, but which passed long before the suit, and not in contemplation of litigation, was privileged by Lord Cranworth, V. C., in a recent case. (*Ward v. Ward*, 1 Sim., N. S., 18). The bill was by a wife against her husband and the trustees of her settlement and of a deed, by which she released a jointure given to her by the settlement, praying that the husband might be decreed to charge with a jointure certain estates purchased by him since the marriage, as the bill stated he ought to do.

Production was sought by the wife of cases and opinions, and also of correspondence between the husband and his solicitor, which related to the release of the jointure, and was not stated to have passed in contemplation of the suit, chiefly on the ground that the husband and wife had employed the same solicitor in the matter, and that these cases &c. were prepared by him; but the judgment was against the wife upon the motion, as his Lordship was satisfied, that, with reference to the documents inquired for, the solicitor acted on the sole behalf of the husband.

His Lordship is reported to have said, that "it is now clear that anything that passes between a party and his legal adviser, whether in a cause, or with a view to a cause, or with reference to a matter that afterwards becomes a subject of litigation, is a privileged matter, in respect of which the client has a right to say that the solicitor shall not disclose what passed." And his Lordship held, that the rule extended to authorise the husband defendant to resist production of the matters then in question.

It will be seen that the words quoted are similar to those used by Lord Langdale in the last case; but the matters under consideration, and admitted to be privileged by Lord Cranworth, were not only cases and opinions, or letters from the solicitor to the defendant only containing legal advice, but general correspondence between the defendant and his solicitor, which was not in contemplation of any litigation. We are, therefore, compelled to understand his Lordship's dictum to mean, that correspondence of this kind, "with reference to a matter that afterwards becomes a subject of litigation," is privileged, which, we submit, seems to be more capable of support on principle than by express authority. (See *Hughes v. Bidduhl*, 4 Russ. 190; *Bolton v. The Corporation of Liverpool*, 1 My. & K. 96; *Nias v. The Northern and Eastern Railway Company*, 3 My. & C. 355; *Holmes v. Baddeley*, 1 Ph. 476; and *Lord Walsingham v. Goodricke*, 3 Hare, 122).

In a case (*Broadhurst v. Balguy*, Jan. 10, 1851) not yet reported, the privilege was claimed for a bundle of papers marked (H), which the defendant's answer stated to contain "104 letters, drafts, or copies of letters, numbered from 1 to 104 inclusive, the originals of which letters were, after the institution of this suit, written and sent by" the defendant's town and country solicitors, "as such solicitors as aforesaid, to various persons, for the purpose of collecting information to prepare for the defence of this defendant in this suit, and the rest of the letters contained in such bundle being original letters written in reply to such communications by such last-mentioned various persons;" all which "this defendant saith are confidential communications, which he could not produce without disclosing evidence material to this defendant's defence in this suit, and the names of witnesses for this defendant in this suit."

This claim, it will be observed, was in respect of letters written, after the commencement of the suit, between the defendant's solicitors and other parties, on the ground that they related to the defence, and were confidential communications, and that they contained evidence for the defence. Lord Cranworth allowed the privilege, though with considerable hesitation, on the authority of *Curling v. Perring* (2 My. & K. 380, Feb. 16, 1835) and *Holmes v. Baddeley*, (1 Ph. 476). In the former of these cases the bill was for specific performance of an agreement to purchase certain annuities for the life of A., and also a policy on the same life. The answer stated, by way of defence, that A. was about to proceed to Sierra Leone, and that his state of health was such that the insurance office would not give him a license to go thither; and that these facts were known to the plaintiff, and fraudulently concealed from the defendants.

The motion was for the production of certain letters between the defendants' solicitor and A., which the answer admitted to be in the defendants' possession. It was opposed on the ground that these letters were privileged communications between the defendants' solicitor and A., made after the dispute had arisen between the parties. In reply to this it was argued, that the correspondence in question was not between solicitor and client, but between the solicitor of the defendants and a third party, and that such letters had never been privileged; and another reason given for producing the correspondence was, that it was on a matter directly relating to, and essential to the establishment of, the plaintiff's title.

The Master of the Rolls, the present Lord Cottenham, decided, "that the correspondence, having taken place after the dispute which was the subject of litigation had arisen between the parties, formed no part of the plaintiff's title, and that the plaintiff was not entitled to the inspection of it." And he added, that "if the right of inspecting documents were carried to the length contended for by the plaintiff, it would be impossible for a defendant to write a letter for the purpose of obtaining information on the subject of the suit, without the liability of having the materials of his defence disclosed to the adverse party." And he refused the motion.

Now, in this case, the ground of the decision stated in the judgment was, that the letters in question formed no part of the plaintiff's title; and if, from the whole of the answer, the learned judge was satisfied of this, notwithstanding the plaintiff's averment to the contrary, the letters were within the privilege we before considered granted to evidence of the defendant's title only not being also evidence for the plaintiff. To documents of this kind all the remarks in the judgment properly apply. Letters written by the defendant to obtain information on the subject of the suit would be inquiries for evidence to support his case, probably suggesting the requisite evidence, and asking if it could be procured, and therefore would seem to come within the privilege, on the ground of title, as much as answers to them containing minutes of the evidence that could be supplied. Unless this be the reason of the case, it is utterly without authority, and we submit that no other construction can render the judgment as reported equally intelligible, and consistent with previous decisions.

In *Holmes v. Baddeley* the bill was, by a person claiming as heir-at-law, to set aside a deed by which he had compromised his claim, on the ground that it had been obtained by fraud. Production was sought of cases and opinions, and letters between the defendants' solicitors and different persons respecting the right of the defendants to the property in question, all which communications had passed in contemplation of litigation. The whole of the Lord Chancellor's judgment refers to the

cases and opinions, which his Lordship considered as communications between a man and his professional adviser; and as they related to the matter in dispute, and were in contemplation of litigation concerning it, he held that they were entitled to be privileged. And his Lordship, at the close of his judgment, observed, "No attempt was made at the bar to distinguish the correspondence from the cases and opinions. I think it falls within the same principle, and that it ought not to be produced." And he referred to *Curling v. Perring*.

It must be confessed that this judgment, if understood as meaning that the correspondence was privileged for the same reasons as the cases and opinions, and citing *Curling v. Perring* as an authority for that doctrine, puts upon this last case a construction different to that for which we have contended.

However, the authority of the judgment as a precedent in this respect is much weakened by the admission, that no distinction had been made at the bar between the correspondence and the cases and opinions; while the very fact that the Lord Chancellor noticed this in his judgment shews that he himself allowed that there existed a difference, which the hesitation of his subsequent words proves he felt some difficulty in surmounting. No other decisions that we are aware of have carried the privilege so far; but, on the other hand, in a later case, in the same High Court, (*Reid v. Langlois*, 1 Mac. & G. 639), protection was expressly refused, by the same judge who decided *Curling v. Perring*, to a letter from a defendant to his agent, not being a solicitor, on the very ground of the want of professional confidence between them. It would seem, therefore, that there is at least equal authority for the opinion which Lord Cranworth appears to have entertained against his own decision in *Broadhurst v. Balguy*; and, perhaps, if his Lordship's attention had been drawn to this, he might have felt justified in deciding the question on principle only, as the authorities seem to be conflicting.

(To be continued).

LONDON GAZETTES.

TUESDAY, FEBRUARY 11.

BANKRUPTS.

JOHN BARUGH, High Holborn, Middlesex, oil and colour man, dealer and chapman, Feb. 21 and March 24 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Treherne & White, 13, Barge-yard-chambers, Bucklersbury.—Petition filed Feb. 1.

WILLIAM LEIGHTON WOOD, Charles-st., Drury-lane, Middlesex, pianoforte maker, Feb. 21 at half-past 11, and March 28 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Wright & Bonner, 15, London-st., Fenchurch-st.—Petition dated Jan. 28.

EDWIN BLISS, Barbican, London, brushmaker and warehouseman, dealer and chapman, Feb. 21 and March 27 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Baylis & Drew, Redcross-st., Cripplegate.—Petition filed Feb. 5.

JOHN MURRELLS, Hythe, Colchester, Essex, late an innkeeper, but now a barge owner, Feb. 21 at 2, and March 25 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Barnes, Colchester, Essex: Wire & Child, 9, St. Swithin's-lane.—Petition filed Feb. 6.

HENRY DURHAM STEVENSON, West Sunnyside, Bishopwearmouth, Durham, merchant and chain and anchor manufacturer, Feb. 20 at 11, and March 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. J. J. & G. W. Wright, Sunderland; Maples & Co., Frederick's-place, Old Jewry, London.—Petition filed Jan. 6.

RICHARD BRICKWOOD COLTMAN, Regent-street, Middlesex, court milliner, Feb. 22 at 1, and April 5 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Norcutt, Queen-sq., Bloomsbury.

MEETINGS.

Abraham Provoost, Peterborough, linendraper, March 6 at half-past 11, Court of Bankruptcy, London, and ac.—**Ann E. Hickman**, Cannon-street-road, St. George's-in-the-East, and **Moses J. Hickman**, Princes-place, St. George's-in-the-East, Middlesex, undertakers, Feb. 25 at 11, Court of Bankruptcy, London, and ac.—**W. Gore**, Liverpool, wheelwright, Feb. 24 at 11, District Court of Bankruptcy, Liverpool, and ac.—**Wm. Laird**, Birkenhead, Cheshire, merchant, Feb. 24 at 11, District Court of Bankruptcy, Liverpool, and ac.—**Macgregor Laird**, Birkenhead, Cheshire, commission agent, Feb. 24 at 11, District Court of Bankruptcy, Liverpool, and ac.—**John Yeomans**, Sheffield, Yorkshire, merchant, Feb. 22 at 10, District Court of Bankruptcy, Sheffield, and ac.—**John Marsh**, Rotherham, Yorkshire, grocer, Feb. 22 at 10, District Court of Bankruptcy, Sheffield, and ac.—**George W. Hinchliffe**, Sheffield, Yorkshire, manufacturer, Feb. 22 at 10, District Court of Bankruptcy, Sheffield, and ac.—**Jos. Bates**, Leeds, Yorkshire, sharebroker, Feb. 24 at 11, District Court of Bankruptcy, Leeds, and ac.; March 4 at 11, div.—**Henry Watts**, Upper Bryanstone-street, Bryanstone-sq., Middlesex, corn dealer, March 6 at half-past 1, Court of Bankruptcy, London, div.—**James Thomas Wheatley**, Commercial-road, Lambeth, Surrey, lighterman, March 4 at 11, Court of Bankruptcy, London, div.—**Philip M. Chitty**, Shaftesbury, Dorsetshire, scrivener, March 4 at 11, Court of Bankruptcy, London, div.—**Robert Swansborough**, Grimsby, Lincolnshire, and **Henry Oake**, Ringwood, Southampton, and Bread-street, London, linen merchants, March 5 at 12, Court of Bankruptcy, London, div.—**David Simons**, Trowbridge, Wiltshire, general dealer, March 10 at 11, District Court of Bankruptcy, Bristol, div.—**T. P. Collins**, Bristol, tailor, March 7 at 12, District Court of Bankruptcy, Bristol, div.—**Simon Lee Troitman**, Liverpool, merchant, March 6 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Hamer, Blackfriars-road, Surrey, linendraper, March 4 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

John T. Gunn, High-row, Knightsbridge, Middlesex, bill broker.—**James Butfield**, Newbury, Berkshire, grocer.—**J. Coles**, Launton, Oxfordshire, baker.—**Henry R. Holloway**, Ryde, Isle of Wight, Southampton, bookseller.—**Robert C. Chappell**, Trinity-chambers, Water-lane, Tower-street, London, wine merchant.—**S. A. Warner**, Southampton-street, Strand, Middlesex, projectile manufacturer.—**Thos. Treffry**, Tregoney, Cornwall, seedsman.—**Geo. Fuller**, Poultry, London, auctioneer.—**Thomas Gamsen**, Mark-lane, London, corn factor.—**J. K. Watts**, St. Ives, Huntingdonshire, scrivener.—**Buckley Royle**, Manchester and Ardwick, Lancashire, check manufacturer.

SCOTCH SEQUESTRATION.

Charles Scobie, Perth, copper-smith.

PETITIONS ANNULLED.

George Johnstone, Newbury, Berkshire, innkeeper.—**Edw. Hodges**, Swinford, Leicestershire, surgeon.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

W. Lund and **John Lund**, Keighley, Yorkshire, worsted spinners, Feb. 25 at 11, County Court of Yorkshire, at Bradford.—**Edw. Greenberry** the elder, Swinstead, Lincolnshire, miller, March 4 at 12, County Court of Lincolnshire, at Bourne.—**Edward Voorsanger**, Manchester, metallic pen manufacturer, Feb. 21 at 12, County Court of Lancashire, at Manchester.—**James Renton**, Bradford, Yorkshire, watchmaker, Feb. 25 at 11, County Court of Yorkshire, at Bradford.—**Henry Hubbard**, Terrington St. John's, Norfolk, shoemaker, Feb. 18 at 6, County Court of Norfolk, at King's Lynn.—**T. Tilley**, Nantwich, Cheshire, chimney sweeper, Feb. 27 at 11, County Court of Cheshire, at Nantwich.—**Joseph Whitehead**, Saddleworth, Yorkshire, woollen manufacturer, March 1 at 11, County Court of Yorkshire, at Saddleworth.—**Jos. W. Percy** the younger, Warwick, reporter, Feb. 24 at 2, County Court of Warwickshire, at Warwick.—**J. Burnett**, Steep, Hampshire,

hire carter, Feb. 27 at 11, County Court of Hampshire, at Petersfield.—*S. Gibbs*, Coventry, Warwickshire, retailer of beer, Feb. 25 at 12, County Court of Warwickshire, at Coventry.—*James Porch*, Coventry, Warwickshire, licensed to sell ale, Feb. 25 at 12, County Court of Warwickshire, at Coventry.—*James Harris*, Witney, Oxfordshire, watch and clock maker, Feb. 21 at 11, County Court of Oxfordshire, at Witney.—*John Willett*, Northleigh, Oxfordshire, out of business, Feb. 21 at 11, County Court of Oxfordshire, at Witney.—*John Llewellyn*, Robeston Wathan, Pembrokeshire, farmer, Feb. 22 at 10, County Court of Pembrokeshire, at Narberth.—*Richard Embury*, Reading, Berkshire, shoemaker, March 3 at 11, County Court of Berkshire, at Reading.—*John Crouch*, Cambridge, yeoman bedell of the University of Cambridge, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*William Chapman*, Cambridge, mail contractor, Feb. 24 at 10, County Court of Cambridgeshire, at Cambridge.—*James Loogrove*, Reading, Berkshire, market gardener, March 3 at 11, County Court of Berkshire, at Reading.—*Robert Plowright*, King's Lynn, Norfolk, plumber, Feb. 18 at 6, County Court of Norfolk, at King's Lynn.—*Samuel Hander* the elder, Cookley, Suffolk, blacksmith, Feb. 19 at 2, County Court of Suffolk, at Halesworth.—*Thomas Dent*, Tunstall, Staffordshire, brazier, Feb. 20 at 10, County Court of Staffordshire, at Hanley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 25 at 11, before the CHIEF COMMISSIONER.

James Wright, Shropshire-yard, Pancras-street, Tottenham-court-road, Middlesex, coachmaker.

Feb. 26 at 11, before the CHIEF COMMISSIONER.

Joseph Daw, High-street, Notting-hill, Middlesex, out of business.—*William Hubbard*, Nelson-street, Margaret-street, Hackney-fields, Middlesex, out of business.

Feb. 26 at 10, before Mr. Commissioner LAW.

Walter Henry Biddle, Oakley-terrace, Old Kent-road, Surrey, oilman.—*William Metcalfe*, Brick-lane, Spitalfields, Middlesex, dealer in fish.

Saturday, Feb. 8.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Thomas Marchant, Knight's-buildings, New-road, North-end, Fulham, Middlesex, farrier, No. 61,764 T.; *Frederick John Pfeil*, assignee.—*Samuel Marchant*, Salem-place, Waltham-green, Middlesex, ironmonger, No. 61,949 T.; *Frederick John Pfeil*, assignee.—*Henry Moran*, Bury, Lancashire, licensed victualler, No. 72,880 C.; *George Pickup*, assignee.—*William Brear*, Wakefield, Yorkshire, licensed victualler, No. 73,070 C.; *Archibald Crowther* and *William Tune*, assignees.—*Joseph Alha*, Walton, near Wakefield, Yorkshire, farmer, No. 73,100 C.; *Edward Thornhill Simpson*, assignee.—*Henry Bennett*, Chatham, Kent, corn factor, No. 73,229 C.; *McCarthy Stephenson*, assignee.

Saturday, Feb. 8.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Scotcher, Drummond-street, Euston-square, Middlesex, pianoforte manufacturer: in the Queen's Prison.—*Edward Keady*, South-square, Gray's-inn, Middlesex, barrister-at-law: in the Debtors Prison for London and Middlesex.—*Edward Torbock Gedge*, Upper Duncan-place, City-road, Middlesex, milliner: in the Debtors Prison for London and Middlesex.—*Samuel Perkins*, Wellington-street, Newington-caneway, Surrey, baker: in the Queen's Prison.—*Thomas Penn*, Caroline-place, Chelsea, Middlesex, solicitor's clerk: in the Debtors Prison for London and Middlesex.—*John Warne*, Little Earl-street, Compton-street, Seven-dials, Middlesex, cheesemonger: in the Queen's Prison.—*Thos. Wm. Tottlingham Prescott*, Belgrave-street South, Pimlico, Middlesex, in no profession: in the Debtors Prison for London and Middlesex.—*George Richard Glenie* the younger, Mile-

end-road, Middlesex, bar and cellar man: in the Debtors Prison for London and Middlesex.—*Watson Lemon*, Pleasant-place, Hen and Chicken-lane, Lock's-fields, Kent-road, Surrey, paper stainer: in the Gaol of Horsemonger-lane.—*Eliza Bennett*, Culmstock-place, Bridge-road, Battersea, Surrey, butcher: in the Gaol of Horsemonger-lane.—*Adam Young*, Tenison-street, York-road, Lambeth, Surrey, out of business: in the Debtors Prison for London and Middlesex.—*Henry John Louis Augarde*, Addlestone, near Chertsey, Surrey, stockbroker: in the Gaol of Horsemonger-lane.

(On Creditor's Petition).

Rowland Wilder, Edgeware-road, and Spring-st., Conduit-street, Paddington, Middlesex, butcher: in the Queen's Prison.

(On their own Petitions).

Edward Davies, Trefonnen, Oswestry, Shropshire, lime burner: in the Gaol of Coventry.—*Geo. Hurst* the younger, Ramsgate, Kent, music master: in the Gaol of Dover.—*Sarah Lacy*, Marlborough-st., Greenwich, Kent, tobacconist: in the Gaol of Maidstone.—*Wm. Ogden*, Hulme, Manchester, beerseller: in the Gaol of Manchester.—*Rees Thomas*, Penybank, Mothvey, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*Thos. Dalton*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*David Calder*, Newark-upon-Trent, Nottinghamshire, inspector of railway works: in the Gaol of Nottingham.—*Abraham Allen*, Chester, builder: in the Gaol of Chester.—*John Bennet*, Toxteth-park, Liverpool, book-keeper: in the Gaol of Lancaster.—*Samuel Davies*, Dowlais Ironworks, Merthyr, Glamorganshire, innkeeper: in the Gaol of Carmarthen.—*Joseph Wilson Jackson*, Scampton, near Lincoln, farmer: in the Gaol of Nottingham.—*Warre Squire Bradley*, Weston-super-Mare, Somersetshire, lieutenant in the Royal Navy: in the Gaol of Wilton.—*William Pattinson*, Chester, mercer: in the Gaol of Chester.—*William Garner*, Liverpool, traveller: in the Gaol of Lancaster.—*Thomas Garner*, Liverpool, joiner: in the Gaol of Lancaster.—*Wm. Colling Hobson*, Manchester, agent for the sale of a sporting atlas: in the Gaol of Lancaster.—*Richard Lambert*, Chesterfield, Derbyshire, mercer: in the Gaol of Derby.—*Henry Owen*, Liverpool, civil engineer: in the Gaol of Lancaster.—*James Padley*, Manchester, sawyer: in the Gaol of Lancaster.—*George Trout*, Bath, Somersetshire, dealer in shoes: in the Gaol of Wilton.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 25 at 11, before the CHIEF COMMISSIONER.

James Joseph Iron Syer, Sylvan-grove, Old Kent-road, Surrey, out of business.

Feb. 26 at 10, before Mr. Commissioner LAW.

John Colegate, Cambridge-terrace, Cambridge-road, Mile-end, Middlesex, coal merchant.—*Joseph Westley Bennett*, Marlborough-cottages, College-st., Chelsea, Middlesex, hatter's assistant.—*Charles Nash*, Southampton-street, Strand, Middlesex, colonial agent.—*John Jacob Heystek*, Norfolk-st., Fitzroy-square, Middlesex, agent for the sale of boots and shoes.

Feb. 27 at 11, before Mr. Commissioner PHILLIPS.

Abraham Collins, Northern-buildings, Somers-town, Middlesex, out of business.—*Wm. Hollands*, Pavement, Finsbury, Middlesex, out of business.—*Thomas Monro*, Bryan-place, Caledonian-road, Middlesex, coach builder.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, Feb. 27 at 10.

Charles Pugh, Gloucester, baker.—*Thomas Hale Bennett*, Cheltenham, builder.—*Henry Merrick Elderton*, The Cranhams, near Cirencester, editor of the Wilts and Gloucestershire Standard newspaper.

At the County Court of Warwickshire, at COVENTRY, Feb. 25 at 12.

Benjamin Darrall, Birmingham, out of business.—*Edward Davies*, Birmingham, lime burner.—*Robert Gardner*, Birmingham, grocer.

At the County Court of Lancashire, at MANCHESTER, Feb. 21 at 12.

John Wright, Springfield Lower, Crumpsall, near Manchester, bookkeeper.

At the County Court of Cambridgeshire, at CAMBRIDGE, Feb. 28 at 11.

William Ansell the younger, Cambridge, upholsterer.

FRIDAY, FEBRUARY 14.

BANKRUPTS.

PETER WOOTTON (sometimes calling himself Peter Wootton the elder) and **PETER WOOTTON** the younger, Margate, Kent, grocers and cheesemongers, March 1 at half-past 1, and March 29 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Wright & Bonner, London-st., Fenchurch-st.—Petition dated Jan. 30.

FRANGONLIS PANTOLEON PLATY, Broad-street-buildings, London, merchant, March 3 at 12, and March 27 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Lloyd, 36, Milk-street, Cheapside.—Petition filed Feb. 1.

JOSEPH MANNING, Birmingham, draper, tailor, dealer and chapman, Feb. 24 and March 24 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Smith, Birmingham.—Petition dated Feb. 12.

ELI TETLOW, Leeds, Yorkshire, innkeeper, dealer and chapman, March 4 and 31 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Robinson & Green, Leeds.—Petition dated Feb. 4.

HENRY HUNT, Kingston-upon-Hull, merchant and commission agent, dealer and chapman, Feb. 26 and April 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Wells & Co., Hull.—Petition dated Jan. 27.

THOMAS BRIGHOUSE, Liverpool, contractor, cart owner, and licensed victualler, Feb. 25 and March 24 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Paterson, Liverpool.—Petition dated Jan. 29.

JOHN WILSON, St. Helen's, Lancashire, chemical manufacturer, smelter, dealer and chapman, Feb. 25 and March 24 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Jevons, Liverpool.—Petition filed Feb. 11.

MEETINGS.

John N. Harlow, Ramsgate, Kent, wine merchant, March 10 at 12, Court of Bankruptcy, London, last ex. and aud. ac.—*John Burgoyne Pillis* and *George A. Pillis*, Featherstone-buildings, Holborn, Middlesex, sword cutlers, Feb. 25 at 1, Court of Bankruptcy, London, last ex.—*J. Dawson*, Northfleet, Kent; Mitre-court-chambers, Temple; and *Clement's* lane, Lombard-st., London, shipowner, Feb. 28 at 11, Court of Bankruptcy, London, last ex.—*Septimus Fred. Martyn*, Bishop Auckland, Durham, draper, Feb. 21 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*John Barber*, Eaton Socon, Bedfordshire, builder, Feb. 28 at 1, Court of Bankruptcy, London, aud. ac.—*Henry M. East*, Mark-lane, London, stationer, Feb. 28 at 12, Court of Bankruptcy, London, aud. ac.—*Charles Mackenzie*, Lower Crown-street, Westminster, Middlesex, bookbinder, Feb. 28 at 11, Court of Bankruptcy, London, aud. ac.—*Henry F. Ross*, West Cowes, Isle of Wight, Southampton, and *John Wylie Barrow*, Philpot-lane, Fenchurch-st., London, commission agents, March 7 at half-past 12, Court of Bankruptcy, London, aud. ac. joint est.; March 8 at 12, div. sep. est. of *H. F. Ross*.—*Frederick Leake*, Regent-street and George-yard, Westminster, Middlesex, relieve leather manufacturer, March 7 at 11, Court of Bankruptcy, London, aud. ac.; March 13 at 11, div.—*Thornton Bentall*, Copthall-chambers, London, stockbroker, Feb. 28 at 12, Court of Bankruptcy, London, aud. ac.; March 7 at 12, div.—*Wm. F. Newton*, Dover-st., Piccadilly, Middlesex, milliner, Feb. 28 at 12, Court of Bankruptcy, London, aud. ac.; March 7 at half-past 11, div.—*John Griffiths*, Strand, Middlesex, linendraper, Feb. 28 at half-past 12, Court of Bankruptcy, London, aud. ac.; March 8 at half-past 11, div.—*Wm. S. Cowper*, Bishopsgate-street Without, London, and New-street, Dorset-square, Middlesex, grocer, March 5 at 1, Court of Bankruptcy, London, aud. ac.—*Henry Byshe*, Brighton, Sussex, builder, March 5 at 12,

Court of Bankruptcy, London, aud. ac.—*William Smith*, Standard Saw-mills, Canal-road, Kingland, Middlesex, timber merchant, March 5 at 1, Court of Bankruptcy, London, aud. ac.—*George Augustus Clare*, Mount-st., Grosvenor-sq., Middlesex, house decorator, March 5 at 12, Court of Bankruptcy, London, aud. ac.; March 7 at 12, div.—*Henry Hamer*, Blackfriars-road, Surrey, linendraper, March 4 at 12, Court of Bankruptcy, London, aud. ac.—*Robert Miles*, Pontypridd, Glamorganshire, grocer, March 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.; March 14 at 11, div.—*Wilson Forster* and *John Dodgson*, Liverpool, merchants, Feb. 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac. joint est. and aud. ac. sep. est. of *Wilson Forster*.—*Edw. Burrell*, Liverpool, ironmonger, Feb. 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Simon Lee Trothen*, Liverpool, merchant, Feb. 28 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Charles Lowe Swainson* and *J. Birchwood*, Manchester, manufacturers, Feb. 25 at 12, District Court of Bankruptcy, Manchester, aud. ac.; March 11 at 12, div.—*Wm. Pittfield*, Tottington Lower-end, Lancashire, bleacher, Feb. 28 at 11, District Court of Bankruptcy, Manchester, aud. ac.; March 7 at 11, div.—*Geo. Page*, Wolverhampton, Staffordshire, coal dealer, March 13 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*John Hollingsworth*, Paddington-st., St. Marylebone, Middlesex, butcher, March 8 at half-past 12, Court of Bankruptcy, London, div.—*John Hutchison*, River-terrace North, City-road, Middlesex, apothecary, March 8 at 1, Court of Bankruptcy, London, div.—*Alfred Cranston*, Wimborne Minster, Dorsetshire, cabinet maker, March 14 at 11, Court of Bankruptcy, London, div.—*Wm. Robt. Smart*, Chancery-lane, and Thistle-grove, Brompton, Middlesex, auctioneer, March 7 at 1, Court of Bankruptcy, London, div.—*Alex. Black*, Wellington-st. North, Covent-garden, Westminster, Middlesex, bookseller, March 7 at 11, Court of Bankruptcy, London, div.—*James Brooks*, Winslow, Buckinghamshire, victualler, March 13 at half-past 1, Court of Bankruptcy, London, div.—*Samuel Bayly*, Folkestone, Kent, cheesemonger, March 10 at half-past 12, Court of Bankruptcy, London, div.—*James Crisp* the younger, Beccles, Suffolk, corn merchant, March 17 at 11, Court of Bankruptcy, London, div.—*James Kitchner*, Gravel-lane, Southwark, Surrey, contractor, March 17 at 12, Court of Bankruptcy, London, div.—*Hugh Snelling*, Brighton, Sussex, grocer, March 10 at 1, Court of Bankruptcy, London, div.—*Cornelius Bray*, Landport, Portsea, Southampton, trader, March 10 at 11, Court of Bankruptcy, London, div.—*Samuel Leggatt*, Norwich, innkeeper, March 13 at 1, Court of Bankruptcy, London, div.—*Samuel Banfill*, Edward-st., Langham-place, St. Marylebone, Middlesex, cabinet maker, March 7 at half-past 11, Court of Bankruptcy, London, div.—*John King* and *Jos. F. King*, Wells-row, St. Mary, Islington, Middlesex, builders, March 7 at 12, Court of Bankruptcy, London, fin. div.—*Richard Dart* and *Joseph Brown*, Bedford-st., Covent-garden, Middlesex, coach-lace manufacturers, March 7 at 11, Court of Bankruptcy, London, div.—*Thos. Stirling* the elder and *William Stirling*, Stratford, Essex, slaters, March 7 at 12, Court of Bankruptcy, London, div.—*James Gilson Forster*, Aldgate High-st., London, tailor, March 7 at 11, Court of Bankruptcy, London, div.—*John Richardson*, Edgeware-road, Middlesex, ironmonger, March 7 at 11, Court of Bankruptcy, London, div.—*V. S. Godfrey*, Duddington, Northamptonshire, miller, March 7 at 12, Court of Bankruptcy, London, div.—*Thos. B. Couens*, Wisbeach St. Peter's, Cambridgeshire, ship builder, March 7 at 11, Court of Bankruptcy, London, div.—*John Crosthwaite*, Liverpool, merchant, March 7 at 11, District Court of Bankruptcy, Liverpool, div.—*John Meredith*, Tattenhall, Cheshire, maltster, March 7 at 11, District Court of Bankruptcy, Liverpool, div.—*Robt. Adams* and *Thos. Banks*, Liverpool, cattle salesmen, March 7 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *T. Banks*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Charles Bunyard, Mark-lane, London, seedsman, March 13 at 11, Court of Bankruptcy, London.—*Samuel Adams*, Bow, Middlesex, engineer, March 8 at 11, Court of Bankruptcy, London.—*William Beley*, Horsepath, Oxfordshire, butcher, March 10 at 1, Court of Bankruptcy, London.—*N. Berton*, Princes-street, Hanover-square, Middlesex, tailor,

March 14 at 11, Court of Bankruptcy, London.—*Robt. Miles*, Pontypridd, Glamorganshire, grocer, March 12 at 11, District Court of Bankruptcy, Bristol.—*Charles Robinson*, Liverpool, millmaker, March 7 at 11, District Court of Bankruptcy, Liverpool.—*W. Pitcher*, Pershore, Worcestershire, corn dealer, March 13 at 12, District Court of Bankruptcy, Birmingham.—*James Simons*, Wibloft, Warwickshire, horse dealer, Feb. 25 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Smith, Liverpool, haberdasher.—*James Brooks*, Winslow, Buckinghamshire, victualler.—*Joseph Donovan*, Oxford-street, Middlesex, fishmonger.—*Geo. Wolland Tucker*, Tottenham-court-road, Middlesex, furrier.—*Robert Smith*, Liverpool, tavern keeper.

FIATS ANNULLED.

Charles Wilson, Liverpool, dealer in railway shares.—*William Alsop*, Plymouth, Devonshire, potter.—*Benjamin Homan*, Westbourne-terrace, Paddington, Middlesex, builder.

SCOTCH SEQUESTRATIONS.

James Towers, Glasgow, stockbroker.—*John Smith*, Glasgow, grocer.—*Allan McKechnie*, Greenock, shopman.—*Alexander Smith*, Kelso, carrier.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James John Kyrage, Bury St. Edmund's, Suffolk, licensed hawk, Feb. 24 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Jos. Riley*, Austrey, Warwickshire, blacksmith, Feb. 25 at 1, County Court of Warwickshire, at Tamworth.—*Joseph Hooper* the younger, Gloucester, baker's assistant, Feb. 27 at 10, County Court of Gloucestershire, at Gloucester.—*William Rumming*, Calne, Wiltshire, upholsterer, March 5 at 11, County Court of Wiltshire, at Calne.—*Richard Pengelly*, Exeter, lithographer's assistant, April 2 at 11, County Court of Cornwall, at Launceston.—*William Daniel Fletcher*, Nottingham, livery-stable keeper, March 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Benjamin Fitzwalter Reed*, Radford, Nottinghamshire, picture dealer, March 6 at 9, County Court of Nottinghamshire, at Nottingham.—*John Matthews*, Nottingham, labourer, March 6 at 9, County Court of Nottinghamshire, at Nottingham.—*Samuel Williams*, Bristol, baker, Feb. 26 at 11, County Court of Gloucestershire, at Bristol.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Feb. 28 at 11, before the CHIEF COMMISSIONER.

Hugh Richards, Golden-lane, St. Luke's, Middlesex, milkman.—*Henry Lesser*, Chryssel-road, North Brixton, Lambeth, Surrey, plumber.—*Edmund Wilson*, Villa-place, Park-road, Old Kent-road, Surrey, collector of rents.—*Pericles Rastopoulos Alexandrides*, Burridge-place, Burridge-road, Woolwich, Kent, beer-shop clerk.

Feb. 28 at 10, before Mr. Commissioner LAW.

James Aldrich, Brick-lane, St. Luke's, Middlesex, coach-smith.—*Robert Bowie* the elder, Coborn-terrace, Bow-road, Bow, Middlesex, surgeon.—*William Carpenter*, Dartford, Kent, beer-shop keeper.

March 3 at 10, before Mr. Commissioner LAW.

George Trimby, West Moulsey, Surrey, builder.

March 3 at 11, before Mr. Commissioner PHILLIPS.

Joseph Phillips, Shaftesbury-street, New North-road, Hoxton, Middlesex, dyer.—*Francis Walter Smith*, Park-street, Southwark, Surrey, clerk to Barclay & Co., brewers.—*John Adams*, Union-passage, James-street, Larkhall-lane, Clapham, Surrey, porter to a drysalter.—*Benjamin Atfield*, Portman-place, Edgeware-road, Middlesex, stamper in the Stamp-office, Somerset-house.—*William Smart*, Mary Ann-street, Union-street, Southwark-bridge-road, Surrey, millwright.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Feb. 28 at 11, before the CHIEF COMMISSIONER.

Benjamin Peverley, Spencer-street, Islington, Middlesex,

and Coleman-street, London, attorney's clerk.—*Charles S. Crossley*, Addison-place, Brixton-road, Brixton, Surrey, out of business.—*Moses Levy*, Camomile-street, Bishopsgate, London, furrier.—*Abraham Levy*, Camomile-street, Bishopsgate, London, furrier.—*Thos. Scotcher*, Drummond-st., Euston-square, Middlesex, pianoforte manufacturer.

Feb. 28 at 10, before Mr. Commissioner LAW.

Roston Hulls, Cumberland-market, Regent's-park, Middlesex, baker.

March 1 at 11, before Mr. Commissioner PHILLIPS.

Frederick Bayley, Ramsgate, Kent, bricklayer.—*Eliza D. Wyde*, widow, Norfolk-street, Strand, Middlesex, in no business.—*Thomas Samuel Wallis*, Herne-place, Herne-hill, Camberwell, Surrey, professor of music.—*Jonathan Fryer*, Bungay, Suffolk, baker.—*Charles Patterson*, Stratford New-town, Essex, builder.

March 3 at 10, before Mr. Commissioner LAW.

James Livermore, Morgan-street, Tredegar-square, Mile-end, Middlesex, builder.—*Mary J. Spouse*, widow, High-st., Woolwich, Kent, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, March 6 at 9.

Jos. W. Jackson, Scampton, near Lincoln, Lincolnshire, farmer.—*David Calder*, Newark-upon-Trent, surveyor.

At the County Court of Kent, at DOVER, March 10 at 10.

George Hurst the younger, Ramsgate, music master.

At the County Court of Kent, at MAIDSTONE, March 4.

George Albert, Seal, near Sevenoaks, Lieutenant in the West Kent Yeomanry Cavalry.

At the County Court of Denbighshire, at RUTHIN, March 4.

John Edwards, Penylan, Ruabon, farmer.

At the County Court of Lancashire, at MANCHESTER, March 7 at 12.

Wm. Ogden, Hulme, Manchester, out of business.

At the County Court of Lancashire, at LANCASTER, Feb. 28 at 11.

Robert Lamb, Manchester, out of employment.—*Cardwell Chetham*, Newton-in-the-Willows, near Warrington, attorney at law.—*John Roberts*, Liverpool, out of business.—*Wm. C. Hobson*, Manchester, agent for the sale of a sporting atlas.—*Simoon Clough*, Little Horton, woolsorter.—*James Padley*, Manchester, sawyer.—*Wm. Crighton*, Manchester, beer-house keeper.—*Richard Higham*, Salford, rope manufacturer.—*T. Garner*, West Derby, joiner.—*William Garner*, West Derby, traveller.—*Robert Harding*, Staleybridge, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Davis, Buckingham, out of business, at Budd's, Buckingham: 10s. 5d. in the pound, (making, with former dividends, 20s.)

Her Majesty has been pleased to appoint Aston Davoren, Esq., to be Chief Justice for the island of St. Christopher.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—The Right Hon. John Hatchell, Attorney-General for Ireland, for the borough of New Windsor.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*John Watkins Jones*, of Beaumaris, Anglesea; *John Trigonwell King*, of Blandford, Dorsetshire; *Francis Parker*, of Chester; *Edward Dodd*, of Hull.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed *Charles Wilkin*, Gent., of Tokenhouse-yard, in the city of London, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the city of London, also in and for the city and liberties of Westminster, and also in and for the counties of Middlesex, Essex, Kent, and Surrey.

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16th January, 1851.

GUARDIAN FIRE and LIFE ASSURANCE COMPANY, No. 11, Lombard-street, London.

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ACTUARY.—Griffith Davies, Esq., F. R. S.

LIFE DEPARTMENT.—Under the provisions of an act of Parliament, recently obtained, this Company now offers to future Insurers a Low RATE of PREMIUM without participation in Profits, or a moderate scale of Premiums with FOUR-FIFTHS of the PROFIT to be derived from all Assurances hereafter effected.

The Divisions of Profits which heretofore have been made Septennially will in future be made QUINQUENNALLY, the first of such Divisions to be declared in June, 1855, when all Participating Policies which shall have subsisted at least one year at Christmas, 1854, will be allowed to share in the Profits.

At the several past Divisions of Profits made by this Company, the Reversionary Bonuses added to the Policies from ONE-HALF the Profits amounted, on an average of the different ages, to about One per Cent. per Annum on the sums insured, and the total Bonuses added at the four Septennial Divisions exceeded 770,000*l.*

FOREIGN RISKS.—The Extra Premiums required for the East and West Indies, the British Colonies, and the northern parts of the United States of America, have been materially reduced.

LOANS granted on Life Policies to the extent of their values, provided such Policies shall have been effected a sufficient time to have attained in each case a value not under 50*l.*

In the FIRE DEPARTMENT, a Return of Profit was declared on the 5th of June, upon the Premiums received on all Policies which had been in force seven years at Christmas, 1849, and the same is now in course of payment daily (Friday and Saturday excepted) between the hours of ten and three o'clock, at the Head Office; and also by the agents in the country districts.

GEO. KEYS, Secretary.

* * Orders for THE JURIST given to any Newsmen, or letter (post-paid) sent to the Office, No. 3, CHANCERY-LANE, or to STEVENS & NORTON, 26 and 29, BELL-YARD, LINCOLN'S-INN, will insure its punctual delivery in London, or its being forwarded on the evening of publication, through the medium of the Post Office, to the Country.

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The Jurist

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FEB. 22, 1851.

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LONDON, FEBRUARY 22, 1851.

We have to notice an important decision of Knight Bruce, V. C., on the Chancery Orders of May, 1850. (*Smith v. Constant*, 15 Jur., part 1, p. 97).

In that case his Honor decided, that, in a cause instituted by claim, the Court may decide a contested matter of fact on affidavits; that, at the hearing, the Court will exercise a judicial discretion whether to direct a bill to be filed, or some other (not saying what) course to be adopted; that the plaintiff's affidavit cannot be read as evidence for him; that the defendant's affidavit may be read by the plaintiff as evidence against the defendant, and may be read by the defendant, so far as an answer to a bill might, but no further; lastly, that on the cause coming on, and the evidence on either side being defective, there is a considerable discretion in the Court to allow the cause to stand over for further evidence.

The result of this decision—there being none, in any case, as to the mode in which evidence may be procured, if at all, otherwise than by affidavit—nor as to the mode, if any, by which the defendant may be examined—nor as to the mode, if any, by which documents possessed by the defendant may be inspected—is to make the proceeding by claim so uncertain in its ultimate results, in any but the simplest cases, that we believe, since that decision, most of the practising equity draftsmen, who, before it, still clung to the hope of seeing the claims an effective system, have come to the conclusion, that, until the Orders are revised, or something more definite substituted for them, claims will be an insecure form of pleading, except in the cases in which they are expressly required by the 1st Order, or in cases where, though special, no contest can be anticipated; and this being so, the new Orders will have been, in the words of the plaintiff's counsel in *Smith v. Constant*, a mere fraud, a delusion, and a snare.

Although it was scarcely to be expected, that, on the points decided, the Vice-Chancellor should have decided otherwise than he did, yet the effect of the decision on those points is very direct and positive; for, firstly, as to the weight of the plaintiff's affidavit, since the plaintiff's affidavit is to be no evidence for him, and since he has not the benefit of any admission from the defendant but such as he will voluntarily make, and since, moreover, all affidavit evidence is voluntary evidence, it follows, that in every case where the plaintiff has not sufficient witnesses of his own to prove his case, and he depends either wholly or partially on discovery from the defendant, or wholly or partially on the evidence of any witness friendly to the defendant—and of this class is the majority of contested cases—a claim will be of no more value than so much waste paper. Take such a case as this, one of not unfrequent occurrence. Material facts are known only to the plaintiff and defendant, other material facts are known only (as to personal knowledge of them) to A., a witness unwilling to assist the plaintiff, and the only evidence the plaintiff can procure of such facts is that of B., who has heard them from A. Now, the plaintiff's affidavit cannot be read; the defendant will not, of course, by his affidavit, divulge facts fatal to his case; as to those, therefore, that are in the knowledge of the plaintiff and defendant only, the plaintiff is wholly helpless; as to those known to A., B.'s evidence would be only hearsay, and, according to the general rule, inadmissible; and unless the Court will take hearsay evidence, merely because the better evidence is not volunteered by affidavit, which is a question not decided, and in itself of great doubt, what a state of circumstances, how to work a claim no one can even conceive.

Again: though the learned Vice-Chancellor has put on the Orders a liberal construction, and held that a contested cause may be decided on affidavits, and although he has thrown out that there is no such to

choose between evidence on interrogatories and evidence on affidavits, whence it may, perhaps, be inferred that his Honor would not refuse to decide on affidavits, except in a case in which he would refuse to decide on interrogatory evidence also, without the aid of a jury, yet he has not said so positively; and it is still left in doubt whether, in a contested case, the plaintiff may not find himself, at the hearing, directed to file a bill even in that branch of the court where the Orders have always received a liberal construction. What may be done to him in other branches of the court, bearing in mind that there is as yet only this one decision on the very vital points involved in the case, it would be hazardous to attempt to predict. Certainly that which may be gathered from the dicta of the Master of the Rolls and Lord Cranworth is by no means favourable to the idea, that in their courts a contested claim will proceed with anything like smoothness. So that, on the whole, claims may be said to be fast losing the position which it was once hoped they might take in the scale of Chancery procedure.

It is not to be denied, that in this matter the suitors of the Court of Chancery have great reason to complain. For years they clamoured against the tedious and expensive procedure of the Court; their souls were weary of bills and answers, &c. At length some Orders are offered, which made a fair shew of giving immediate and great relief; and a most fair and patient trial has been given to them. If ever, indeed, a Profession deserved public approbation for exerting itself to give a professional experiment a fair trial, utterly regardless of any consequences, that approbation is deserved by the equity Bar, who have almost to a man striven to aid the judges in working the new Orders; but by some unaccountable oversight in the framing of these Orders, they have been produced in a form so incomplete, so unpositive, that even judges are afraid to say what may be done under them, except step by step, and each step guarded by extraordinary caution. That being so, it would be too much to expect that counsel can make expensive experiments in individual cases; and the result is, that in spite of, *we believe*, the earnest desire of the Courts to assist the suitor—in spite of, *we know*, the earnest efforts of the majority of the equity Bar frankly to adopt and successfully to work the new system, all will not do. Judges may construe, but will not invent; counsel will risk something, but will not try unheard-of motions, and launch cases, when they see the probable difficulties, but not the way to solve them; and the Orders of 1850 are doomed, and in their present state will most probably not survive another six months for anything whatever, except the cases enumerated in Order I. As lawyers, we regret it—firstly, because we have always agreed with those who thought that the old system, unaltered, does not meet the wants of the public; secondly, because, though the true cause of the failure of the Orders is, we believe, that which we have stated, we have no doubt whatever that the public will say the lawyers have abandoned claims because they were hostile to their interests. In the meantime, and until the Chancery Commissioners shall have matured some better scheme of procedure than the Orders of 1850, our advice to young practitioners would be, “In the way of claims, travel not

out of the first Order; beyond that, touch them not, for beyond that all is darkness and uncertainty.”

ON THE PRIVILEGE TO RESIST PRODUCTION OF DOCUMENTS IN A SUIT IN EQUITY.

(Concluded from p. 52).

THE next rule is, that where the documents are the opinions of counsel, or letters to the defendant from his solicitor containing legal advice, a larger protection is granted; and to claim protection for these matters the defendant need only state in his answer that the documents are of the above description, and that they contain advice with reference to the very subject-matter of the suit; for their nature alone will entitle the opinions and letters to protection, independently of the time when and the circumstances under which they were obtained, and where mere cases and letters, containing only statements of facts, would not be privileged.

An averment in the answer, (*Beadon v. King*, 17 Sim. 34), that, fifteen years before the filing of the bill, a case was stated to counsel by the defendant's solicitor, and on his behalf, and that the opinion thereon was given in contemplation of legal proceedings, and with reference to the title of the defendant at issue in the suit, was considered by the late Vice-Chancellor of England to privilege this case and opinion, because it was but reasonable to suppose that they related to legal proceedings which were threatened at the time. A similar averment was held to privilege a case and opinion in the year previous to the commencement of the suit, because the inference was that it related to the suit.

But an averment concerning a case and opinion of 1827, twenty years before the suit, that the case was confidentially and professionally submitted to counsel by the solicitor of the defendant, and on his behalf, was not sufficient, and these were ordered to be produced.

It may be gathered from the report that the reasons for this decision were, that the answer contained no statement that the last-mentioned case and opinion related to the matters in question in the suit, or were prepared in contemplation of it; but we venture to submit, that neither of these reasons could authorise the order for their production. If the case and opinion did not relate to the matters in question, the plaintiff had neither right nor interest in seeing them; it was for him to shew, from the statements in the answer, that they were relevant, in order to support his motion; and if he could not establish this, the presumption was against his right to have them produced; and as to the second reason, no one will now deny that opinions, at any rate, are privileged, if not cases, although not prepared for the purposes of subsequent litigation. It must be remarked, that the observations of the Vice-Chancellor apply, in terms, to the case of 1827 only, and not to an opinion thereon, and, as to this, are strictly in accordance with authority. We submit that it is probable that there was no opinion on this case, and on this supposition the judgment is perfectly intelligible.

Cases, as well as the opinions upon them, are now held to be privileged, although submitted to counsel before the litigation on the subject was commenced or contemplated. (*Penruddock v. Hammond*, 11 Bear. 59; *Warde v. Ward*, 1 Sim., N. S., 18).

It is presumed that a case prepared for counsel, on which no opinion has been given, would be similarly privileged; and, on the same principle, letters from a defendant to his solicitor, asking legal advice, should also be protected.

At present, however, the authority does not extend so far. Indeed, it must be observed, that the last-mentioned decisions, giving as large a privilege to cases as opinions, are in direct opposition to a judgment of the highest tribunal, (*Radcliffe v. Furman*, 2 Bro. P. C. 514), which, though disapproved of, has been followed by other judges as of necessity a binding authority. (*Bolton v. The Corporation of Liverpool*, 1 My. & K. 95; *Lord Walsingham v. Goodricks*, 3 Hare, 127).

That a distinction should have been made between these matters is an illustration of the reluctance of the Court of equity to sanction any restriction of its power to enforce discovery, and this reluctance must be taken to have occasioned the distinction rather than the materiality of the difference between the documents with respect to the rule.

It may be quite as injurious to the defendant to be compelled to produce a case, suggesting a doubt upon his title, for the plaintiff's inspection, as to produce the opinion of counsel on such a case; but we submit that it is a much greater evil, that judges of inferior courts should disregard a rule laid down by the supreme Court of appeal, and thus create an uncertainty which may occasion continual litigation.

The last rule to be noticed is, that where the defendant is himself a solicitor, and information of any kind, or documents, have come to his knowledge or into his possession in that character from any of his clients, he may claim the privilege by stating that he is a solicitor, and that the matters of which discovery is sought came to his possession, or were received or written by him, professionally, in his character of confidential solicitor.

Two of the defendants to a bill (*Blenkinsopp v. Blenkinsopp*, 10 Beav. 143, 277; S.C., 11 Beav. 134) answered, admitting the possession of documents, but stated that these came into their possession as the solicitors of another defendant, and submitted that they were not bound to produce them. This other defendant, however, answering separately, stated that the first two defendants had not acted as his solicitors in the matter in question.

On a motion against the first two defendants for production of the documents, the Master of the Rolls would not allow the answer of the other defendant to be read in support of the motion; and therefore, as the privilege was well claimed, his Lordship refused the motion.

On appeal, (2 Ph. 607), the Lord Chancellor required a further answer from the defendant who had denied the professional relation, which was put in accordingly, and, it seems, was allowed to be read; and as it did not, together with the joint answer of the first two defendants, sufficiently establish the professional connexion, his Lordship ordered the documents to be produced.

But a defendant, being a solicitor, is bound to answer to whom, and on what occasion, and for what purpose he parted with the documents inquired for, and where the same were; for the privilege arising from the fact of his having had possession of the several particulars in his professional character does not entitle him to refuse discovery of these matters concerning their custody. (*Banner v. Jackson*, 1 De G. & S. 472).

Where a document has been concocted between solicitor and client for a fraudulent purpose, as a letter from the solicitor to induce the plaintiff to enter into a contract, which the suit seeks to set aside for fraud, the solicitor, being a defendant, will be ordered to produce it, because he has acted, in respect to it, as participes criminis, and not in the true relation of solicitor and client. (*Reynell v. Sprye*, 11 Beav. 618). And this, as Lord Cranworth has observed, (*Follett v. Jeffries*, 1 Sim., N. S., 1), is not an exception to the general

rule, but a case not coming within the rule itself; for the rule only applies to what passes between a client and his solicitor in professional confidence; and no Court can permit it to be said that the contriving of a fraud can form part of the professional occupation of an attorney or solicitor.

It may be gathered from the judgment in another case, that where a solicitor, defendant to the suit, originally obtained information relating to the matters in question under the seal of professional confidence, he is not compellable to disclose it from the fact that he has since become owner of the subject of the suit, to the title of which the information so confided to him related; nor is it a valid objection to this rule that the defendant would have been obliged to make the required discovery if he had not been a solicitor, or, being a solicitor, if the information had not originally been confided to him in that character.

To this length the observations of Wigram, V. C., seem to extend in the case of *Chant v. Brown*, (7 Hare, 79), though the actual decision was only, that a solicitor, having but a limited interest in the subject, could not be compelled to deprive the owner of the corpus of the estate of the privilege, in respect of communications made to the solicitor in confidence, before he obtained such limited interest.

If it were not too presumptuous to question even a chance dictum of Wigram, V. C., on the subject of discovery, we should venture to demur to the general proposition stated above, as carrying the privilege beyond the limits of the principle on which it is granted.

The protection allowed in the case of a solicitor defendant, it is universally agreed, is the privilege of his client: where, then, he unites in his person both characters with respect to the subject—and if he had not been a solicitor, he would have been compelled to make the discovery—it seems an unwarrantable restriction of the general jurisdiction of equity to allow him to avail himself of the privilege. That the information sought came originally to his knowledge under the seal of confidence cannot be a good reason for preventing the defendant from making discovery of it, if he has since obtained the same information in another character, to which the privilege does not attach.

For these reasons it is submitted that the case last referred to must only be considered an authority for the point actually decided. The larger proposition can hardly be accepted as an obiter dictum, without the support of further authorities.

On the whole, the tendency of recent decisions seems to be to enlarge this privilege of refusing discovery in certain cases.

This, we submit, is to be regretted, because we think the main purposes of equity would be better effected by extending than by limiting the facilities given to its suitors for discovering all the truth.

E. E. K.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—The Hon. Beilby Richard Lawley, for the borough of Pontefract, in the room of Sir Samuel Martin, Knight, who has accepted the office of one of the Barons of her Majesty's Court of Exchequer.—James Baird, Esq., for the burghs of Linlithgow, Lanark, Falkirk, Airdrie, and Hamilton, in the room of the Right Hon. Henry Pelham Pelham Clinton, commonly called Earl of Lincoln, now Duke of Newcastle, summoned to the Upper House of Parliament.—William Hodgson Barrow, Esq., for the county of Nottingham, Southern Division, in the room of Robert Bromley, Esq., deceased.—The Hon. William Stuart Knox, for the borough of Duncannon, in the room of the Hon. Thomas Knox, commonly called Viscount Northland, who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

London Gazette.

TUESDAY, FEBRUARY 18.

BANKRUPTS.

JAMES BINION COOPER and GEORGE BINION COOPER, Drury-lane, Middlesex, ironfounders, dealers and chapmen, (the said George Binion Cooper also residing in Buckingham-street, Strand), March 3 at 1, and April 1 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Ford & Lloyd, 5, Bloomsbury-square.—Petition filed Feb. 7.

JAMES HOLLAND and EDWARD WARDEN, Preston, Lancashire, tallow chandlers, soap merchants, dealers and chapmen, March 3 and 31 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Taylor, Manchester.—Petition filed Feb. 13.

WILLIAM NECK the younger, Torre, near Torquay, Devonshire, corn and hay dealer, March 4 at 11, and March 27 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Carter, Torquay; Stogdon, Exeter.—Petition filed Feb. 15.

MEETINGS.

Hugh Parker, Offley Shore, John Brewin, and J. Rodgers, Sheffield, Yorkshire, bankers, March 1 at 10, District Court of Bankruptcy, Sheffield, aud. ac. sep. ests. of *John Rodgers and John Brewin*.—*James Mathison*, Ferry-hill, Durham, builder, March 12 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Edward Whitmore, John Wells, John Wells the younger, and Frederick Whitmore*, Lombard-street, London, bankers, March 11 at 12, Court of Bankruptcy, London, div.—*Richard Bowerman and Geo. Bowerman*, Ensham, Oxfordshire, carriers, March 11 at 11, Court of Bankruptcy, London, div. sep. est. of *Rich. Bowerman*.—*Wm. S. Couper*, Bishopsgate-street Without, London, and New-street, Dorset-square, Middlesex, grocer, March 12 at 1, Court of Bankruptcy, London, div.—*Gerard Burton*, White-chapel-road, Middlesex, linendraper, March 10 at 12, Court of Bankruptcy, London, div.—*T. B. Jones*, Brecon, maltster, March 13 at half-past 12, District Court of Bankruptcy, Bristol, fin. div.—*Fred. Charles Husenbeth*, Bristol, wine merchant, March 21 at 12, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Gerard Ralston, (and not *Saml. Adams*, as before advertised), Fair Field Works, Bow, Middlesex, engineer, March 8 at 11, Court of Bankruptcy, London.—*Jonas Clark*, Soham, Cambridgeshire, dealer in flour, March 12 at 12, Court of Bankruptcy, London.—*Wm. S. Couper*, Bishopsgate-street Without, London, and New-street, Dorset-square, Middlesex, grocer, March 12 at 1, Court of Bankruptcy, London.—*Saul Ingamells*, March, Isle of Ely, Cambridgeshire, machinist, March 11 at 12, Court of Bankruptcy, London.—*J. Mathison*, Ferryhill, Durham, builder, March 12 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Davey*, Liskeard, Cornwall, seedsman, March 12 at 1, District Court of Bankruptcy, Exeter.—*James Simons*, Wibloft, Warwickshire, horse dealer, March 25 (and not February, as before advertised) at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Porter, High-street, Camden-town, Middlesex, cabinet maker.—*John Hall*, Brighton, Sussex, victualler.—*R. G. Ward*, Brownlow-street, Drury-lane, Middlesex, coach carrier.—*Joseph Watkins*, Belmont-row, Vauxhall, Surrey, draper.—*Geo. Hall and Fras. S. Fell*, Tynemouth, Northumberland, timber merchants.—*George Little*, Holborn-bars, London, and Commercial-place, Commercial-row, Peckham, Surrey, maker of electrical apparatus.—*Christopher Martin*, Darlington, Durham, plumber.—*Whitfield Burnett*, Bishopwearmouth, Durham, ship broker.—*Joseph Crook*, Plymouth, Devonshire, merchant.—*Wm. H. Boon*, Plymouth, Devonshire, ironmonger.—*Edward Cardwell*, Manchester, sharebroker.—*John Davies*, Kingston, Herefordshire, mercer.

PARTNERSHIP DISSOLVED.

Hugh Baldwin and Thomas Baldwin, Lancaster, attorneys-at-law, (the said Hugh Baldwin retiring from business).

SCOTCH SEQUESTRATIONS.

John Gilchrist, Blackhall Dye-works, near Paisley, dyer.—*Robert Miller M'Brair*, Glasgow, commission agent.—*James White*, Edinburgh, draper.—*Robert Mensies*, Weem, Perthshire, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Mell, Kingston-upon-Hull, cordwainer, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Dibb*, Kingston-upon-Hull, auctioneer, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Settle Anderson*, Kingston-upon-Hull, out of business, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Robert Featherstone*, Kingston-upon-Hull, picture dealer, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Stainforth*, Kingston-upon-Hull, painter, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*John Johnson*, Kingston-upon-Hull, patent shoe manufacturer, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*William Newman* the younger, Kingstone, Herefordshire, builder, March 8 at 10, County Court of Herefordshire, at Hereford.—*Thomas Codd*, Frieston, Caythorpe, Lincolnshire, shoemaker, March 7 at 1, County Court of Nottinghamshire, at Newark.—*Thos. Denham*, Barnstaple, Devonshire, coal merchant, March 4 at 10, County Court of Devonshire, at Barnstaple.—*Richard Hancock*, Barnstaple, Devonshire, butcher, March 4 at 10, County Court of Devonshire, at Barnstaple.—*John Poole*, Arlestone, Wellington, Shropshire, farmer, March 7 at 10, County Court of Shropshire, at Wellington.—*Thos. Langton*, Monks Coppenhall, Cheshire, labourer, Feb. 27 at 11, County Court of Cheshire, at Nantwich.—*Joseph Lewis*, Bristol, beer retailer, Feb. 26 at 11, County Court of Gloucestershire, at Bristol.—*Richard Knapp*, Wick and Abson, Gloucestershire, farmer, March 29 at 11, County Court of Gloucestershire, at Chipping Sodbury.—*John Eling*, Gravesend, Kent, in no business, March 7 at 10, County Court of Kent, at Gravesend.—*William Poole Hooton*, Gainsborough, Lincolnshire, tailor, March 17 at 9, County Court of Lincolnshire, at Gainsborough.—*George Stancer*, Sheffield, Yorkshire, fender manufacturer, March 5 at 12, County Court of Yorkshire, at Sheffield.—*Edward Oakes*, Portsea, Hampshire, ironmonger, March 5 at 12, County Court of Yorkshire, at Sheffield.—*Wm. Jackson*, Sheffield, Yorkshire, policeman, March 5 at 12, County Court of Yorkshire, at Sheffield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 5 at 11, before the CHIEF COMMISSIONER.

William Lancaster, Albany-road, Camberwell, Surrey, carpenter.—*Thomas Percival*, Park-terrace, Liverpool-road, Islington, Middlesex, clerk in the money-order office, St. Martin's-le-Grand.—*Charles Blenkins*, Waterloo-terrace, Cambridge-heath, Middlesex, carman.—*Daniel Taylor*, Drummond's-road, Blue Anchor-road, Bermondsey, Surrey, not following any business.

March 5 at 10, before Mr. Commissioner LAW.

Abraham Crabb, Berners-street, St. George's-in-the-East, Middlesex, general dealer.

Saturday, Feb. 15.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Read, Upper Brook-st., Grosvenor-square, Middlesex, tailor, No. 61,987 T.; *George Turner*, assignee.—*Edgar Compson*, Salamanca-court, Salamanca-st., Lambeth, Surrey, potter, No. 61,924 T.; *Thomas Lett*, assignee.—*Wm. Izod*, Surrey-square, Old Kent-road, Surrey, ironfounder; No. 61,954 T.; *Henry Corser*, assignee.—*Joseph Strong*, Lamb's Conduit-passage, Red Lion-square, Holborn, Middlesex, tailor, No. 62,051 T.; *Isaac Gray Bass*, assignee.—*Samuel Cannock* the elder, Gloucester, farmer, No. 73,269 C.; *Wm. Thomas*, assignee.—*Herbert Playsted*, Wadhurst, Sussex,

grocer, No. 73,272 C.; Benjamin Flint, Albert Playsted, and John Baker, assignees.—*Theodorick Terrey*, Lyng, near Reepham, Norfolk, farmer, No. 73,097 C.; Mark Eglington, assignee.—*Robert Balls*, Tomblard, Norwich, shoemaker, No. 73,127 C.; John Blackmer Garrod and Francis Butcher, assignees.

Saturday, Feb. 15.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry Mylam Morton, Newgate-st., London, tobacconist: in the Debtors Prison for London and Middlesex.—*Edw. Hodges*, Ranelagh-st., Pimlico, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Thomas Eaton*, Field-court, Gray's-inn, Middlesex, attorney-at-law: in the Queen's Prison.—*Thomas Main*, Water-lane, Blackfriars, London, plumber: in the Debtors Prison for London and Middlesex.—*Joseph Middlemas*, Globe-cottage, Russia-lane, Victoria-park, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*John Driver*, Leopold-place, Devonshire-st., Mile-end, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Wm. Window*, Lea-bridge, Middlesex, retailer of beer: in the Debtors Prison for London and Middlesex.—*Samuel Horton*, Clephane-road, Ball's-pond, Islington, Middlesex, builder: in the Queen's Prison.—*Geo. Borer*, High Holborn, Middlesex, commission agent: in the Queen's Prison.—*Geo. Tedder*, Nelson-square, Blackfriars-road, Surrey, vocalist: in the Queen's Prison.—*Henry Wood*, Dour-o-st., Old Ford, Bow, Middlesex, blacksmith: in the Queen's Prison.—*Jas. Nestor*, Princes-street, Cadogan-place, Sloane-street, Chelsea, Middlesex, captain in the British army: in the Debtors Prison for London and Middlesex.—*William Bowker*, Green-street, Turner-street, Whitechapel-road, Middlesex, currier: in the Queen's Prison.—*Wm. Henry Main* the younger, Water-lane, Blackfriars, London, plumber: in the Debtors Prison for London and Middlesex.—*Henry Bonsor*, Manchester, fancy box maker: in the Gaol of Lancaster.—*Simson Clough*, Little Horton, near Bradford, Yorkshire, commission wool salesman: in the Gaol of Lancaster.—*Richard Higham*, Salford, Lancashire, rope manufacturer: in the Gaol of Lancaster.—*John Littlehailes*, Durham, shoemaker: in the Gaol of Durham.—*Joseph Preston*, Northborough, Northamptonshire, farmer: in the Gaol of Northampton.—*Samuel Archer*, Norwich, Norfolk, carrier: in the Gaol of Norwich.—*Henry Branscombe*, Exmouth, Devonshire, builder: in the Gaol of St. Thomas the Apostle.—*Wm. Crighton*, Manchester, beer-house keeper: in the Gaol of Lancaster.—*Robert Gardner*, Birmingham, grocer: in the Gaol of Coventry.—*Joseph Wormald*, Monk Bar, Yorkshire, innkeeper: in the Gaol of York.—*Edward Morris*, Brighton, Sussex, flour dealer: in the Gaol of Lewes.—*Thomas Dare*, Exeter, victualler: in the Gaol of Exeter.—*Thomas Balcott*, East Reach, Taunton, Somersetshire: in the Gaol of Wilton.—*Abraham Pope*, Pinchbeck Barrs, near Spalding, Lincolnshire, carpenter: in the Gaol of Lincoln.—*John Elston Rogers*, Liverpool, newspaper agent: in the Gaol of Lancaster.—*W. Stott*, Oldham, Lancashire, brewer: in the Gaol of Lancaster.—*Patrick Treanor*, Liverpool, slater: in the Gaol of Lancaster.—*Lydia Witherford*, Wolverhampton, Staffordshire, in no business: in the Gaol of Stafford.—*Thos. Rawson*, Scrivelsby, near Horncastle, Lincolnshire, farmer: in the Gaol of Lincoln.—*Chas. Brooks*, Cricklade, Wiltshire, surgeon: in the Gaol of Bristol.—*Thos. Drewett*, Clifton, Bristol, livery-stable keeper: in the Gaol of Bristol.—*Thos. Gardener*, Manchester, glass stainer: in the Gaol of Lancaster.—*Michael Minter Major*, Uphill, Folkestone, Kent, auctioneer: in the Gaol of Dover.—*Robert Wicks*, Birmingham, shoemaker: in the Gaol of Coventry.—*Wm. Whetell*, Groton, Chirbury, Shropshire, labourer: in the Gaol of Shrewsbury.—*George Atkinson Walker*, Alverthorpe with Thornes, near Wakefield, Yorkshire, clerk in holy orders: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 4 at 11, before the CHIEF COMMISSIONER.

Edward Torbeck Gedge, Upper Duncan-place, City-road, Middlesex, milliner.—*George Garner*, Noble-street, London, warehouseman.

March 6 at 11, before Mr. Commissioner PHILLIPS.

Edward Ablewhite, Marlborough-hill, St. John's-wood, Marylebone, Middlesex, coach builder.—*T. Penn*, Caroline-place, Chelsea, Middlesex, clerk to a solicitor.—*E. Kenealy*, South Gray's-inn, Middlesex, barrister-at-law.—*Wm. Ford*, New Bridge-st., Vauxhall, Surrey, shoemaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, March 4 at 10.

Lydia Witherford, Wolverhampton, in no business.

At the County Court of Kent, at MAIDSTONE, March 4 at 12.

Sarah Lacy, Marlborough-st., Greenwich, out of business.

At the County Court of Herefordshire, at HEREFORD, March 8 at 10.

John Lloyd, Fromanton, Marden, farmer.—*John Kittle Turner*, Tupsaley, out of business.

At the County Court of Hampshire, at SOUTHAMPTON, March 8.

Henry Lockyer, St. Michael, Southampton, leatherseller.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, March 15.

Robert C. Meggitt, Kingston-upon-Hull, out of business.—*Thomas Greaves*, Kingston-upon-Hull, attorney.—*John Tusting*, Kingston-upon-Hull, livery-stable keeper.

At the County Court of Lincolnshire, at LINCOLN, March 3.

Thomas Walker, Wootton, blacksmith.

At the County Court of Cheshire, at CHESTER CASTLE, March 3.

Mary Anna Barnes, Birkenhead, out of business.—*John M. Sidebotham*, Stockport, artist.—*Christopher Burton*, Birkenhead, outfitter.—*Mary Keay*, Stanney, near Stoke, in no business.—*Thomas Bramhall*, Allostock, near Knutsford, out of business.—*John G. Pickersgill*, Crewe, out of business.—*John Taylor*, Birkenhead, publican.—*James Peers*, Stockport, out of business.—*Abraham Allen*, Chester, in no business.—*Wm. Pattinson*, Chester, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

John Wretton, Felix-place, Liverpool-road, Islington, Middlesex, Feb. 20, Messrs. Norton & Son's, New-street, Bishopsgate: 2s. 8d. in the pound.—*Joseph Low*, Great Bardfield, Essex, farmer, Feb. 26, from 11 to 3, or March 5, 12, 19, and 26, from 12 to 1, Mr. J. Low, at Wilson's, Godliman-st., Doctors'-commons: 2s. 1½d. in the pound.

FRIDAY, FEBRUARY 21.

BANKRUPTS.

WILLIAM CHARLES GAZELEY, late of Torriano-villas, Gloucester-road, Kentish-town, but now of Chenies-place, Old-road, St. Pancras, Middlesex, builder, March 4 at 1, and April 4 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Lawrence, 6, Gray's-inn-square.—Fiat dated Feb. 18.

WILLIAM TENNANT, Chertsey, Surrey, draper, dealer and chapman, March 4 at half-past 1, and April 4 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Ashurst & Son, 6, Old Jewry.—Petition filed Feb. 19.

JAMES BISHOP, late of Piccadilly, but now of Upper James-st., Camden-town, Middlesex, laceman, dealer and chapman, Feb. 28 and April 4 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sole & Turner, 68, Aldermanbury.—Petition dated Feb. 18.

JOHN REID, King's-row, Pimlico, Middlesex, corn dealer and coal dealer, March 4 at 1, and April 3 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Holcombe, 72, Ebury-st., Pimlico, and 30, Chancery-lane.—Petition filed Feb. 20.

GEORGE WOMWELL, Stevenage and Pelham, Hertfordshire, miller and millwright, dealer and chapman, March 3 at 2, and April 1 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & O. A. Jenkyn, 11, John-st., Adelphi.—Petition filed Feb. 18.

SAMUEL KNIGHTLY, Paul-street, Finsbury, Middlesex, carpenter and builder, March 1 at 11, and April 5 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Tippetts & Son, 6, Pancras-lane, City.—Petition dated Feb. 19.

THE BROMLEY HILL IRON AND COAL COMPANY, Bream, Forest of Dean, Gloucestershire, manufacturers of iron, March 11 and April 8 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Chaplin & Co., Birmingham; Abbott & Lucas, Bristol.—Petition filed Feb. 3.

HIRAM WILLIAMSON, Manchester, manufacturer, dealer and chapman, March 3 and April 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Higson & Robinson, Manchester.—Petition filed Feb. 14.

RICHARD BOYLE the younger, Kingston-upon-Hull, merchant, factor, dealer and chapman, March 5 and 26 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Wilson, Kingston-upon-Hull.—Petition dated Feb. 14.

GEORGE WOODS, late of Liverpool, surgeon and druggist, dealer and chapman, and now of Hanley, near Liverpool, surgeon, Feb. 28 and March 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Rogerson & Radcliffe, Liverpool.—Petition filed Feb. 18.

MEETINGS.

James Carter, Manchester-terrace, and Upton-villas, Kilburn, Middlesex, builder, March 7 at 12, Court of Bankruptcy, London, last ex.—*Ann Royston*, Chorlton-upon-Medlock, Manchester, brewer, March 3 at 12, District Court of Bankruptcy, Manchester, last ex.—*Joseph Haycock* the younger, Wells, Norfolk, corn factor, March 8 at 1, Court of Bankruptcy, London, and ac.; March 14 at 11, div.—*Chas. Colls*, *Charles Thompson*, and *Richard Peckover Harris* the younger, Lombard-st., London, bill brokers, March 8 at 11, Court of Bankruptcy, London, and ac.; March 14 at 11, div.—*Richard Peacock*, Ladbroke-grove, Notting-hill, Middlesex, plumber, March 4 at 11, Court of Bankruptcy, London, and ac.—*Wm. Trego*, Coleman-st., London, builder, March 4 at 12, Court of Bankruptcy, London, and ac.—*Henry Lloyd* and *Thos. Lloyd*, Carmarthen, drapers, March 13 at 11, District Court of Bankruptcy, Bristol, and ac.—*William Stothert*, *George Wood*, *John W. Little*, *John C. Spender*, *Wm. Brunton*, *Joseph Rusher*, and *Wm. H. Buckland*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturers, March 6 at 11, District Court of Bankruptcy, Bristol, and ac. sep. est. of *G. Wood*; March 13 at 11, and ac. sep. est. of *J. C. Spender*.—*Thomas Edwards*, Newport, Monmouthshire, ironfounder, March 13 at 11, District Court of Bankruptcy, Bristol, and ac.—*John F. Brett*, Gateshead, Durham, tailor, March 12 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*John Kershaw*, Featherstall, near Rochdale, Lancashire, woollen manufacturer, March 6 at 12, District Court of Bankruptcy, Manchester, and ac.—*Robert Adams* and *Thomas Banks*, Liverpool, cattle salesmen, March 6 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of *Thomas Banks*.—*John Crosthwaite*, Liverpool, merchant, March 6 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Jas. Brotherton*, Liverpool, merchant, March 7 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Fred. Taylor*, Orange-street, Red Lion-square, Middlesex, wax chandler, March 14 at half-past 11, Court of Bankruptcy, London, div.—*H. Wilkins*, High-street, Kensington, Middlesex, draper, March 14 at 11, Court of Bankruptcy, London, div.—*Emilie Benassit*, Lime-street, London, wine merchant, March 17 at 1, Court of Bankruptcy, London, div.—*W. Trego*, Coleman-street, London, builder, March 18 at 1, Court of Bankruptcy, London, div.—*Edward Brien*, Bristol, cabinet maker, March 20 at 12, District Court of Bankruptcy, Bristol, div.—*John Richards Veynor*, Breconshire, licensed victualler, March 20 at half-past 12, District Court of Bankruptcy, Bristol, div.—*H. W. Hobhouse*, *J. Phillott*, and *Chas. Lowder*, Bath, Somersetshire, bankers, March 27 at 11, District Court of Bankruptcy, Bristol, div.—*R. D. Reeves*, Liverpool, spirit dealer, and *R. H. Dawson*, Oxtou, Cheshire, out of business, March 17 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Lister*, Belper, Derbyshire, draper, March 14 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Henry S. Bolt*, Plymouth, Devonshire, wine merchant, March 13 at 2, Dis-

trict Court of Bankruptcy, Plymouth, div.—*John Dolphin*, Hunter House, near Blanchland, Durham, banker, March 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

F. G. Monsarrat, Cheltenham, Gloucestershire, wine merchant, March 19 at 12, District Court of Bankruptcy, Bristol.—*Joseph Haley* and *Wm. Thomason*, Manchester, cotton manufacturers, March 15 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Giles Eckersley, Tyldesley, Lancashire, victualler.—*Thos. Harrison*, Stockport, Cheshire, cap manufacturer.—*Giles Davies*, Maesbury, Oswestry, Shropshire, miller.—*George M. Smith*, Ironbridge, Shropshire, bookseller.

PARTNERSHIP DISSOLVED.

Joseph Thos. Millard and *John Stapleton*, Tokenhouse-yard, Lothbury, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Robert Martin, Edinburgh, bookseller.—*George M'Phail*, Glasgow, commission merchant.—*William Anderson & Co.*, Blairgowrie, drapers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Isaac Coates, Leicester, butcher, March 12 at 10, County Court of Leicestershire, at Leicester.—*Wm. Haines* the elder, Kingston, Worcestershire, farmer, March 13 at 2, County Court of Worcestershire, at Pershore.—*Elizabeth Withers*, Ratcliffe-on-Soar, Nottinghamshire, dressmaker, March 10 at 10, County Court of Leicestershire, at Loughborough.—*Geo. Morgan*, Barbourne, Claines, Worcestershire, flyman, March 12 at 10, County Court of Worcestershire, at Worcester.—*Edwin Fryer*, Redmarley D'Abitot, Worcestershire, butcher, March 6 at 11, County Court of Gloucestershire, at Newent.—*John G. Malipant*, Gloucester, builder, March 27 at 10, County Court of Gloucestershire, at Gloucester.—*James Moore*, Stockport, Cheshire, shoe manufacturer, Feb. 28 at 12, County Court of Cheshire, at Stockport.—*I. Hartland*, Wolverhampton, Staffordshire, lock manufacturer, March 4 at 12, County Court of Staffordshire, at Wolverhampton.—*John Howlett*, Newmarket St. Mary, Suffolk, jockey, March 13 at 1, County Court of Cambridgeshire, at Newmarket.—*John Bryson*, Canterbury, Kent, pork butcher, Feb. 27 at 10, County Court of Kent, at Canterbury.—*John Edwards*, Ford, Shropshire, farm labourer, March 11 at 10, County Court of Shropshire, at Shrewsbury.—*Joseph Field*, Hales Owen, Worcestershire, retail brewer, March 1 at 2, County Court of Staffordshire, at Oldbury.—*John Jennings*, Halifax, Yorkshire, out of business, March 7 at 10, County Court of Yorkshire, at Halifax.—*Samuel Retchford*, Birmingham, slater, March 1 at 11, County Court of Warwickshire, at Birmingham.—*Samuel Drakeford*, Birmingham, bookseller, March 1 at 11, County Court of Warwickshire, at Birmingham.—*Joseph Starkey*, Birmingham, out of business, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Rich. Ward*, Birmingham, tailor, March 1 at 11, County Court of Warwickshire, at Birmingham.—*George Forgham*, Birmingham, shoemaker, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Powell*, Birmingham, tailor, March 1 at 11, County Court of Warwickshire, at Birmingham.—*James Baker*, Birmingham, japanner, March 1 at 11, County Court of Warwickshire, at Birmingham.—*Bryant Organ*, Birmingham, soda water manufacturer, March 1 at 11, County Court of Warwickshire, at Birmingham.—*Frederick Bird*, Birmingham, printer, March 15 at 11, County Court of Warwickshire, at Birmingham.—*James Barlow* the younger, Birmingham, bronzer, March 15 at 11, County Court of Warwickshire, at Birmingham.—*J. Whitaker*, Wolverhampton, Staffordshire, commercial clerk, March 4 at 12, County Court of Staffordshire, at Wolverhampton.—*Wm. Illidge*, Codsall, Staffordshire, wood ranger, March 4 at 12, County Court of Staffordshire, at Wolverhampton.—*Wm. Brinkman*, Tring, Hertfordshire, cooper, Feb. 26 at 12, County Court of Buckinghamshire, at Aylesbury.—*James Rodway*, Castleorton,

Worcestershire, timber dealer, March 14 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Henry Perriam*, Exmouth, Littleham, Devonshire, master mariner, March 8 at 10, County Court of Devonshire, at the Castle of Exeter.—*Elizabeth Sarah Peirce*, spinster, Holborn, London, in no business, March 6 at 10, County Court of Kent, at Rochester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 7 at 11, before the CHIEF COMMISSIONER.

John D. Cousens, Amhurst-terrace, Shackwell-green, Kingsland, Middlesex, third master in the Hackney Grammar-school.—*George Wiltshire*, Hatcham New-town, Old Kent-road, Surrey, licensed retailer of beer.

March 7 at 10, before Mr. Commissioner LAW.

Thomas W. Pitts, Lambeth-walk, Surrey, haberdasher.—*John Moore* the younger, New Church-street, Edgeware-road, Middlesex, tailor.—*Frederick Moore*, New Church-street, Edgeware-road, Middlesex, tailor.

March 8 at 11, before Mr. Commissioner PHILLIPS.

Charles Whennan, St. James's-place, Hampstead-road, Middlesex, trunk-maker.—*George Hen. Grant*, Alfred-place, Hornsey-road, Holloway, Middlesex, jeweller.—*James Eden*, Cornwell-road, Lambeth, Surrey, out of business.

March 10 at 10, before Mr. Commissioner LAW.

Samuel Robson, Queen-street, Edgeware-road, Middlesex, carriage trimmer.—*David Wren*, Lansdown-terrace, Caledonian-road, Middlesex, in no business.

March 10 at 11, before Mr. Commissioner PHILLIPS.

John Pay, Orchard-row, Camberwell New-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 6 at 11, before Mr. Commissioner PHILLIPS.

Adjourned.

Rubens Paye Braine, Brook-green-terrace, Hammersmith, Middlesex, clerk in the Admiralty.

March 5 at 10, before Mr. Commissioner LAW.

Alfred Pilkington, Percival-street, Clerkenwell, Middlesex, goldsmith.

March 7 at 11, before the CHIEF COMMISSIONER.

William Parker Wheeldon, Lime-grove, Shepherd's-bush, Middlesex, assistant to an estate agent.—*John Warne*, Little Earl-street, Compton-street, Seven-dials, Middlesex, cheesemonger.

March 7 at 10, before Mr. Commissioner LAW.

Elisha Bennett, Culmstock-place, Bridge-road, Battersea, Surrey, butcher.—*Thomas Eaton*, Field's-court, Gray's-inn, Middlesex, attorney-at-law.—*Edward Henry Taylor*, Warren-street, Fitzroy-square, Middlesex, out of business.

March 8 at 11, before Mr. Commissioner PHILLIPS.

George Richard Glenie the younger, Mile-end-road, Middlesex, out of employ.

March 10 at 10, before Mr. Commissioner LAW.

Henry Turner, King-street, Old Kent-road, Surrey, out of business.—*William Horsley*, Barking, Essex, mastmaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, March 12 at 10.

James Villar, Bredon, out of business.—*William Jewkes*, Dudley, out of business.—*William Alexander Sanders*, Stour-bridge, plumber.

At the County Court of Somersetshire, at TAUNTON, March 11 at 10.

Warre Squire Bradley, Weston-super-Mare, Lieutenant in the Royal Navy.—*Thomas Escott*, Taunton, beer-seller.

At the County Court of Kent, at DOVER, March 10 at 10.

Michael Minter Major, Folkestone, auctioneer.

At the County Court of Shropshire, at SHREWSBURY, March 11 at 10.

William Whettell, Chirbury, farmer's labourer.

At the County Court of Devonshire, at EXETER, March 8 at 10.

Thomas Dars, Exeter, victualler.—*William Baker*, Membury, innkeeper.—*Henry Branscombe*, Exmouth, builder.

At the County Court of Brecknockshire, at BRECKNOCK, March 10 at 10.

By adjournment.

Isaac Williams, Pontrhydyfer, Llanwrtyd, cattle drover.

At the County Court of Somersetshire, at TAUNTON, March 11 at 10.

Thomas Escott, Taunton, beer-seller.

COLONIAL LEGAL APPOINTMENTS.—The Queen has been pleased to appoint *Lemuel Allan Wilmot, Esq.*, to be a Puisne Judge of the Supreme Court of the Province of New Brunswick, and *John Ambrose Street, Esq.*, to be her Majesty's Attorney-General for that Province.

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The Jurist

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MARCH 1, 1851.

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LONDON, MARCH 1, 1851.

It seems now to be established, that although a party may not discredit his own witness by *general* evidence, yet another witness may be called to disprove facts relevant to the issue which have been stated by the former witness; for such facts are evidence in the case, and the other witness is not called directly to discredit the first, but the impeachment of his credit is incidental only, and consequential*. Whether it be competent for a party to prove that his witness has made at other times a statement contrary to that made by him at the trial has been much doubted; but it appears that, as a general rule, such a course cannot be adopted. The witness himself, however, may be asked, by those who call him, whether he had not given a different account of the same matter before the trial. (*Meluish v. Collier*, 14 Jur., part 1, p. 621).

In that case the first witness had done more than disappoint the party calling her, and had attempted to throw discredit upon those who were to follow. It was an action for an assault, in which the plaintiff sued by her father as her next friend. A witness on her behalf gave evidence which went to disprove the cause of action, and stated that the plaintiff's father had tampered with the witness as to her evidence, and said, on her cross-examination, that the plaintiff had told her that her brother and she went to romp in the cellar, and she fell over a barrel, and so hurt herself. It was held that the father and brother might be called to contradict these statements, as they were relevant to the issue: the first imputing that the plaintiff's guar-

dian had endeavoured to suborn false testimony to support the case; and the second, as tending to shew that the injury resulted from an accidental fall, and not from an assault. The Court also held, that this first witness might be asked whether she had not given a different account; but Patteson and Coleridge, JJ., considered, that, in the event of a denial, another witness could not be called to contradict her in that respect. Erle, J., however, seemed to incline to a contrary opinion, and after commenting upon the danger to be apprehended from a treacherous witness, said, "It is not necessary here to decide the point, whether witnesses could be called to contradict her. The majority of the judges are of opinion that such a course ought not to be allowed; but some judges have continued, until the end of their career, to think that justice required that such evidence should be admitted."

The text-writers on evidence are strongly in favour of allowing a party to discredit his own witness. (See 2 Ph. Ev. 463; 1 Stark. Ev. 217—220; and Tayl. Ev. 951). Mr. Taylor cites several decisions in the American courts, to the effect that such evidence is admissible, and seems to think that such would be the rule, even in our own courts, in cases where the witness is not of the party's own selection, but one whom the law obliges him to call, such as the subscribing witness to a deed or will, and the like. (And see per Bayley, J., in *Ever v. Ambrose*, 3 B. & Cr. 748; per Cresswell, J., in *Bowman v. Bowman*, 2 Moo. & R. 502; and per Lord Ellenborough in *Richardson v. Allan*, 2 Stark. 334).

The law upon this subject was lately reviewed in the Court of Admiralty, by Dr. Lushington, who decided, that where a witness gives evidence against the

* See 2 Ph. Ev. 448, 9th ed.; and see an article on this subject in the 14 Jur., part 2, p. 17.

party who produces him, and an account of the transaction, which he had given the proctor before his production, is entirely different from that sworn to by him on his examination, the party producing him may produce fresh witnesses to prove the original facts, but cannot plead in exception to his own witness, nor plead the account he had given of the transaction. (*The Lochibo*, 14 Jur., part 1, p. 792).

The learned judge said, "It may be the case, but I do not find that any exceptive allegation of this description has been admitted by the ecclesiastical courts, save in the peculiar case of what are called 'subscribing witnesses;' and I must entertain the opinion, that, in the case of subscribing witnesses, there exists a very substantive distinction in our proceedings. . . . I think it would be a very dangerous mode of proceeding to oppose a statement loosely taken, not on oath, to evidence given on oath; and it would be very difficult to convince my mind, except in some glaring cases, that a witness deposed falsely, because it happened that his statement was not compatible with the sworn evidence in the cause."

Another important rule connected with the subject of evidence relates to the nature of the testimony which a plaintiff may give in reply. This is matter entirely for the discretion of the judge, and the Court will not, therefore, interfere with the exercise of it; neither will they, it seems, lay down any general rule as to the admission of such evidence. (*Wright v. Wilcox*, 14 Jur., part 1, p. 746; and see *Tayl. Ev.* 275, where previous cases are collected). This has been lately so decided in an action for falsely imprisoning the plaintiff on a charge of having stolen "chaff" belonging to the defendant. The plaintiff gave some evidence of the honest possession of some chaff, and some peculiarities in that chaff were spoken to similar to those in the chaff found in the plaintiff's drawer and claimed by the defendant. No mention was made of linseed, either in the pleadings or in the course of the plaintiff's case, but the defendant's witnesses proved that in the chaff lost by him, and also in that found in the plaintiff's drawer, linseed was found mixed. The plaintiff was then allowed by the judge to call her father to shew that he had bought linseed some months before the alleged felony, and mixed it with chaff, and sent it to the plaintiff, and to produce the invoice which he had received for that linseed. The Court above were of opinion that the judge had rightly exercised his discretion. (*Wright v. Wilcox*, supra). The case of *Jacobs v. Tarleton*, (11 Q. B. 421; 17 L. J., Q. B., 194), which has always appeared to us a questionable decision, was cited and commented upon, and, it would seem, virtually overruled. That was an action by an indorsee of a bill of exchange against the acceptor, who denied the indorsement, and pleaded pleas of fraud, and that the bill came to the plaintiff without consideration. The plaintiff rested his case, in the first instance, on proof of the indorser's handwriting. The defendant then gave evidence that the plaintiff was too poor to have discounted the bill, or to have had it indorsed to him, and that he had disclaimed having done so. The plaintiff then proposed to call a witness to shew that he was able to discount the bill, and had done so. This evidence was held to be rightly rejected,

on the ground that it was merely confirmatory of the plaintiff's *prima facie* case, and not in contradiction of the defendant's witnesses. It is difficult to understand the ground of this decision; at first sight, the evidence proffered in reply seems contradictory to that which had been given for the defence. Proof of handwriting is *prima facie* proof of indorsement, and although there must have been a delivery with intent to transfer the property, yet this is presumed until the contrary is proved, (see *Marston v. Allen*, 8 M. & W. 494), and therefore the plaintiff ought not to be called upon to anticipate such a defence; or, in other words, to prove in the first instance a presumption which exists in his own favour. The consequence of compelling him to do so would be to render it necessary for him, at the outset, not only to prove the handwriting of the indorser, but also to give evidence tending to negative every possible case of fraud and want of consideration before it has been suggested (save by the pleas) on the other side.

COMPANIES ESTABLISHED FOR A PURPOSE OF PROFIT WITHIN THE JOINT-STOCK COMPANIES REGISTRATION ACT.

THE 2nd section of the "Act for the Registration, Incorporation, and Regulation of Joint-stock Companies" (7 & 8 Vict. c. 110) enacts, "that this act shall apply to every joint-stock company, as hereinafter defined, established in any part of the united kingdom of Great Britain and Ireland, except Scotland, or established in Scotland and having an office or place of business in any other part of the united kingdom, for any commercial purpose, or for any purpose of profit, or for the purpose of assurance or insurance, except banking companies, schools, and scientific and literary institutions, and also friendly societies, loan societies, and benefit building societies, respectively duly certified and inrolled under the statutes in force respecting such societies, other than such friendly societies as grant assurances on lives to the extent hereinafter specified; and that the term 'joint-stock company' shall comprehend every partnership whereof the capital is divided or agreed to be divided into shares, and so as to be transferable without the express consent of all the partners, and also" certain assurance companies, and every partnership consisting of more than twenty-five members.

In the case of *Reg. v. The Registrar of Joint-stock Companies* (15 Jur., part 1, p. 7) the question arose, whether a joint-stock company, in the nature of a freehold land society, was a company established for a purpose of profit within the meaning of the act. The company in question was the notorious "National Land Company," projected by Mr. F. O'Connor and his admirers. The draft of the deed of settlement of the company had been approved by the registrar of joint-stock companies, but before the execution of the deed had been completed, a committee of the House of Commons reported against the legality of the scheme, and the registrar, taking fright, refused to proceed, on the grounds that the scheme involved an infraction of the acts against lotteries, and that the company, even if legal, was not established for a purpose of profit within the meaning of the act for the registration of joint-stock companies.

The deed of settlement declared that "the business of the company shall be the purchasing of land in various parts of the united kingdom, and erecting on such land dwellings to be allotted to members of the company, in such manner, for such estates, and upon

such terms and conditions as shall from time to time be determined under the provisions of the deed of settlement; and also the raising of a fund, out of which sums of money shall be paid to or applied for the benefit of members, being allottees of land; and also the raising of money for the purposes aforesaid, by selling, mortgaging, or disposing of such estates and interests in or charges upon the lands to be purchased by the company as shall be reserved for that purpose under the provisions of the deed of settlement, and such other business as is or shall be necessarily or conveniently incident to the business and purposes aforesaid."

The scheme was in substance this:—A capital of 130,000*l.* was proposed to be raised in shares of 1*l.* 6*s.* each, and no member was to hold less than two or more than four shares. Calls were limited to 1*s.* per call, at intervals of not less than a week, but the members were to be at liberty to pay up their shares, although no calls were made, by payments of not less than 6*d.* at a time; the intention being, that, except in case of necessity, no member should be called upon to make any payment compulsorily, but the benefits of the undertaking were to be confined to members who had paid up their shares in full, which they were to do by instalments at their convenience.

The directors were to apply the funds of the company from time to time in the purchase of lands for the purposes of the company, to be divided into allotments of two, three, and four acres respectively, which were to be cultivated and built upon at the expense of the company, and distributed among the paid-up shareholders by lot, the two-acre allotments to the holders of two shares, and so on. Part of the amount allowed to be expended in improving each allotment might, at the discretion of the directors, be paid to the allottee in lieu of being expended on the land. The allotments were to be conveyed to the allottees in fee, subject to a perpetual rent-charge, at the rate of 5*l.* per cent. per annum, on the cost price of the allotment, building, and improvements. These rent-charges were to be either retained for the benefit of the company, or sold or mortgaged, and the proceeds in either case applied towards locating the still expectant paid-up shareholders. The directors were authorised, in lieu of allotting any purchased lands, to sell all or a part for the benefit of the company. There was also a provision for making a dividend of any surplus funds, after all the paid-up shareholders for the time being were allotted.

Lord Campbell, C. J., in delivering the judgment of the Court for the defendant, said, "The prosecutors contend that this company was established for a purpose of profit, both because the directors were empowered to sell land at an increased price beyond the purchase, and also because the rent-charges payable by the allottees would be a source of profit. But it appears to us that these grounds do not maintain the proposition contended for. The governing purpose of the company, according to the provisions of the deed, is the purchase of land by funds raised by subscription, and the division of such land among the subscribers. Each subscriber to whom an allotment of such land might be made would obtain the advantages and enjoyment arising from the ownership in severalty of land, with the buildings and other improvements placed thereon; but these advantages to individual shareholders do not fall within the description of a profit to the company arising from its funds, and were not relied on in the argument*."

"With respect to the powers conferred upon the di-

rectors of selling land that might have been purchased, they are not given for any purpose of profit by purchase and resale, but as subsidiary only to the governing purpose of providing allotments in respect of which the sale or other transfer of parcels of land might occasionally become convenient. It would be accidental only if profit arose from the exercise of these powers, and the exercise of them was clearly not the purpose for which the company was established.

"With respect to the rent-charge of 5*l.* per cent. payable upon the outlay on each allotment by the allottee, although such payments, if made, would increase the funds of the company, still they would be more in the nature of further subscriptions by members of the company, than profits arising from labour and capital employed for a commercial or trading purpose. The rent-charge would become due whether the allotment produced any profit or not; and the effect of allotting, as described in the deed, is to lend the purchase money to the shareholder, who becomes allottee upon the terms of his paying 5*l.* per cent. on the amount, and securing the payment thereof upon the land allotted."

We have stated this decision because we think it is likely, if not overruled, to give rise to great difficulty in applying the Joint-stock Companies Registration Act. It appears to us to proceed upon an erroneous interpretation of the words of the act, as it certainly does upon a narrow and incorrect view of the meaning of the Legislature. The object of the act—abundantly apparent from every provision in it—was to protect the public from the fraud and misconduct of the promoters and managers of associations formed for the purpose of obtaining for the subscribers some worldly profit, i. e. some benefit in money, or money's worth. Subject to the express exceptions contained in the enactments which we have cited, the act was intended to extend to and control every appeal to the pocket of the subject in the shape of a joint-stock company prospectus. The Court of Queen's Bench seems to have thought that the act contemplated exclusively a purpose of profit "from labour and capital employed for a commercial or trading purpose." But the act in terms excludes that narrow construction of the word; it says, "for any commercial purpose, or for any purpose of profit;" thus expressly pointing at some profit which is not commercial. The express exemption of benefit building societies, duly certified and inrolled, places this beyond a doubt; for such societies, as defined by the act relating to them, ("societies established for the purpose of raising, by small periodical subscriptions, a fund to assist the members thereof in obtaining a small freehold or leasehold property"), stand precisely on the same footing as the National Land Company with reference to the question under consideration, if they are not inrolled under the Building Societies Act. The word "profit" in the Joint-stock Companies Registration Act plainly means worldly profit, or advancement in respect of money or possessions, as distinguished from a merely intellectual or spiritual benefit, or a philanthropic object; and every scheme for a company which offers to the subscribers an equivalent for their subscriptions in the shape of money, goods, land, or other property, greater than they can expect to gain without co-operation, contemplates a profit within the meaning of the act. The express inclusion of mutual assurance societies, and the exclusion of such mutual benefit societies only as are duly inrolled under the acts specifically applicable to them, strongly corroborate this view. Now, the only meaning of the National Land Society was, that the members should make a profit by buying land in large lots on more advantageous terms than any member, acting independently, could obtain in the purchase of a single allotment.

* This was an oversight of the learned judge. The counsel for the prosecutor mainly relied on the general profit derived from buying in large parcels for the purpose of division into small ownerships.

There is another way of viewing the matter, which seems to be equally conclusive against the decision of the Court of Queen's Bench. That decision assumes that no profit is within the act that is not made by buying and selling. Now, the object of the Land Company was to buy and to sell. A large estate was to be purchased by the company, but that purchase would but half fulfil the object of the company; before its operations are concluded, the company must have ceased to be the owner of that estate, and certain of the members must have acquired several interests in several parts of the estate. Those members can only have done so by purchasing of the company; and thus there is both buying and selling sufficient to satisfy the most literal construction of the act of Parliament. The company buys land in the gross, and retails it in small parcels to individual members, for the general profit of all.

G. S.

London Gazettes.

TUESDAY, FEBRUARY 25.

BANKRUPTS.

JAMES BURRELL, Blackmore, Essex, victualler, dealer and chapman, March 7 at 11, and April 11 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Woodward, Billericay, Essex; Patten, Ely-place, Holborn.—Petition dated Feb. 20.

JAMES MATTS, Edgeware-road, Middlesex, ironmonger, March 7 at 11, and April 3 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Tippetts & Son, Pancras-lane.—Petition filed Feb. 19.

CHARLES FREDERICK THOMAS, Bristol, ship broker and sail and rope maker, (trading under the style of C. F. Thomas & Co.), March 12 and April 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Brittan, Bristol.—Petition filed Feb. 22.

MEETINGS.

Charles Porter, Braintree, Essex, grocer, March 7 at 1, Court of Bankruptcy, London, last ex.—**Ralph Hills**, Downham, Isle of Ely, Cambridgeshire, grocer, March 5 at 11, Court of Bankruptcy, London, last ex.—**Charles Johns**, Great Queen-street, Lincoln's-inn-fields, and Kirby-street, Hattogarden, Middlesex, fixture dealer, March 6 at 12, Court of Bankruptcy, London, last ex.—**Wm. Harding**, Crawford-st., St. Marylebone, Middlesex, corn dealer, March 8 at 1, Court of Bankruptcy, London, and ac.—**Henry S. Bolt**, Plymouth, Devonshire, wine merchant, March 13 at 2, District Court of Bankruptcy, Exeter, and ac.—**John King**, East Stonehouse, Devonshire, builder, March 13 at 2, District Court of Bankruptcy, Exeter, and ac.—**Giles Eckersley**, Tyldesley, Lancashire, victualler, March 11 at 12, District Court of Bankruptcy, Manchester, and ac.—**Robert Lister**, Belper, Derbyshire, draper, March 13 at 12, District Court of Bankruptcy, Manchester, and ac.—**Philips M. Chitty**, Shaftesbury, Dorsetshire, scrivener, March 18 at 1, Court of Bankruptcy, London, fin. div.—**J. Sydenham**, Poole, Dorsetshire, printer, March 18 at half-past 12, Court of Bankruptcy, London, fin. div.—**Fred. C. Christy**, **Fred. Adams**, and **James P. Hill**, Rotherhithe, Surrey, engineers, March 21 at 12, Court of Bankruptcy, London, div. sep. est. of **James Powell Hill**.—**Benj. Smith**, Threadneedle-st., London, and Bow-common, Middlesex, copper smelter, March 21 at 1, Court of Bankruptcy, London, div.—**John Barnard**, Stanford Rivers, Essex, baker, March 20 at half-past 12, Court of Bankruptcy, London, div.—**Josiah Charter**, Grimstone, Norfolk, grocer, March 20 at 12, Court of Bankruptcy, London, div.—**Wm. Binder**, Orsett, Essex, builder, March 20 at half-past 11, Court of Bankruptcy, London, div.—**John P. Burnell**, Moorgate-st. and Coleman-street, London, china dealer, March 21 at 11, Court of Bankruptcy, London, div.—**George Wilkin**, Frith-street, Soho-sq., Middlesex, tailor, March 18 at 2, Court of Bankruptcy, London, fin. div.—**Nathaniel Taynton**, Lincoln's-inn, Middlesex, law stationer, March 18 at 1, Court of Bankruptcy, London, div.—**John Saunders**, **James Fanner**, and **Thomas Hosier Saunders**, Basinghall-st., London, and Bradford, Wiltshire, woollen manufacturers, March 21 at 1,

Court of Bankruptcy, London, div. sep. est. of **Thomas H. Saunders**.—**John Richards**, Cefnacoedymmer, Vaynor, Breconshire, licensed victualler, March 20 at half-past 12, District Court of Bankruptcy, Bristol, fin. div.—**Edward Brien**, Bristol, cabinet maker, March 20 at 12, District Court of Bankruptcy, Bristol, fin. div.—**Henry Sutcliffe** and **Joseph Wm. Harris**, Rochdale, Lancashire, cotton spinners, March 20 at 11, District Court of Bankruptcy, Manchester, div. sep. est. of **Joseph W. Harris**.—**James Thompson**, Manchester, gunpowder dealer, March 19 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Richard Northover, Skinner-street, Bishopsgate-street, and Cheapside, London, lint manufacturer, March 19 at half-past 11, Court of Bankruptcy, London.—**Jules Brelon**, King Edward-street, Hackney, Middlesex, insurance broker, March 21 at 1, Court of Bankruptcy, London.—**Benjamin Tebbit**, Ventnor, Isle of Wight, Southampton, draper, March 19 at 2, Court of Bankruptcy, London.—**Thomas Newell**, Rhosddu, Colfryn, Llansaufridd, Montgomeryshire, horse dealer, March 20 at 12, District Court of Bankruptcy, Liverpool.—**Charles Lightfoot**, Torquay, Devonshire, livery-stable keeper, March 27 at 1, District Court of Bankruptcy, Exeter.—**Hans Crosby**, Barnley, Lancashire, linendraper, March 20 at 12, District Court of Bankruptcy, Manchester.—**John Jowett** the elder, **John Jowett** the younger, and **Jeremiah Jowett**, Preston and Longridge, Lancashire, stonemasons, March 21 at 11, District Court of Bankruptcy, Manchester.—**Robert Gibson**, York, ironmonger, March 20 at 11, District Court of Bankruptcy, Leeds.—**George Thomas Rollason**, Birmingham, glass dealer, March 19 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Edward Robson Arthur, North Shields, Northumberland, shipowner.—**Robert Turner**, Worthing, Sussex, draper.—**Joseph Charles Byrne**, Pall-mall East, Middlesex, and Sun-court, Cornhill, London, emigration agent.—**Thomas Vertue**, Trinity-terrace, Tower-hill, London, seed merchant.—**Robert Arthur**, Newcastle-upon-Tyne, linendraper.—**Ann Graves**, Snaith, Yorkshire, innkeeper.—**Christopher Ware**, York, saddler.

PARTNERSHIP DISSOLVED.

S. Batchelor, **Henry Harford**, and **Thomas Staunton**, attorneys-at-law and solicitors, (by the retirement of Henry Harford).

SCOTCH SEQUESTRATIONS.

John Mundell, Edinburgh, artists' colourman.—**William Logan**, Kirkintollock, slater.—**Joseph Robertson**, Uddington, Bothwell, Lanarkshire, cartwright.—**James Crichton**, Greenbank, Pollockshaws, dyer.—**Thomas Martin**, Glasgow, file manufacturer.—**Thomas Watson**, Portobello, grocer.—**Crabb & Brown**, Glasgow, manufacturers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Featherstone, Golden-hill, Wiveliscombe, Somersetshire, auctioneer, March 12 at 10, County Court of Somersetshire, at Wellington.—**Paul Jos. Benoit Gouty de Chaville**, Yeovil, Somersetshire, professor of languages, March 19 at 10, County Court of Somersetshire, at Yeovil.—**Henry Miles**, Southampton, tailor, March 8 at 10, County Court of Hampshire, at Southampton.—**Wm. Bridal**, Southampton, dairyman, March 8 at 10, County Court of Hampshire, at Southampton.—**Robert Ford**, Bishport, Bedminster, Somersetshire, farm bailiff, April 9 at 11, County Court of Gloucestershire, at Bristol.—**W. R. Hemmings**, Bristol, assistant to an accountant, April 9 at 11, County Court of Gloucestershire, at Bristol.—**Thomas Bidgood**, Looseland-farm, Templeton, Devonshire, farmer, March 13 at 10, County Court of Devonshire, at Tiverton.—**Edwin Wales**, Redruth, Cornwall, mason, March 13 at 11, County Court of Cornwall, at Redruth.—**John Robertshaw**, Manchester, clock manufacturer, March 7 at 12, County Court of Lancashire, at Manchester.—**John Warner**, Buckingham, innkeeper, March 24 at 10, County Court of Buckinghamshire, at Buckingham.—**Luke Bland**, Waddingham, Lincolnshire, farmer, March 20 at 12, County Court of Lincolnshire, at Market Rasen.—**Wm. Richardson**, Easing-

on-lane, Durham, schoolmaster, March 20 at 10, County Court of Durham, at Durham.—*Michael Williams*, Houghton-le-Spring, Durham, March 20 at 10, County Court of Durham, at Durham.—*G. Coussons*, Elwick, Durham, blacksmith, March 10 at half-past 10, County Court of Durham, at Hartlepool.—*Henry Shipton*, Fulwood, Pilmminster, Somersetshire, out of business, March 11 at 10, County Court of Somersetshire, at Taunton.—*Wm. Morris*, Markeaton-gate, Derbyshire, toll collector, March 15 at 11, County Court of Derbyshire, at Derby.—*David Greenwood*, Halifax, Yorkshire, clog maker, March 7 at 10, County Court of Yorkshire, at Halifax.—*D. Evans*, Cardiff, Glamorganshire, foreman to coal proprietors, March 12 at 10, County Court of Glamorganshire, at Cardiff.—*George Gray*, Derby, shoemaker, March 15 at 11, County Court of Derbyshire, at Derby.—*Peter Love*, Naseby, near Welford, Northamptonshire, farmer, March 12 at 10, County Court of Northamptonshire, at Northampton.—*John Evans*, Cardiff, Glamorganshire, blockmaker, March 12 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Robt. Lay*, Norwich, assistant to a chemist, March 31 at 10, County Court of Norfolk, at Norwich.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 12 at 11, before the CHIEF COMMISSIONER.

Edward Gadsby, Tottenham-grove, Southgate-road, Islington, Middlesex, warehouseman.—*Thomas Munn*, High-street, Shoreditch, Middlesex, tea dealer.—*W. H. Prior*, Minorities, Middlesex, teacher of navigation.

March 12 at 10, before Mr. Commissioner LAW.

Thomas Braby, Fulham-road, New Brompton, Middlesex, out of business.—*Edward D. Ings*, St. George's-street, St. George's-in-the-East, Middlesex, cheesemonger.

Saturday, Feb. 22.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Shaw, Denton, near Ashton-under-Lyne, Lancashire, superintendent of waterworks, No. 73,083 C.; *Chas. Knott*, assignee.—*S. Foden*, Blackburn, Lancashire, builder, No. 73,087 C.; *James Latham*, assignee.—*Thomas Turner*, Shavington-cum-Greasy, near Nantwich, Cheshire, attorney-at-law, No. 72,793 C.; *Joseph Wood*, assignee.—*S. Wood*, High-st., Old Brompton, Middlesex, hairdresser, No. 50,631 T.; *J. M. New*, assignee, in room of W. Bigsby, deceased.—*Henry Pope*, New Bridge-street, Blackfriars, London, messenger, No. 55,335 T.; *Elis. Douch*, Wm. Cambridge, and A. Gibbs, new assignees, in the room of E. Douch, removed.—*William Robinson*, High-street, Camden-town, Middlesex, bricklayer, No. 61,975 T.; *W. J. Carpenter*, assignee.—*Wm. Whitehead*, Strand, Middlesex, coal merchant, No. 64,657 T.; *Joseph Broadbent*, assignee.—*Joe. Rooth*, Birkby, near Huddersfield, Yorkshire, grocer, No. 73,195 C.; *Henry Atkinson* and *James Brook*, assignees.—*John James*, Kidderminster, Worcestershire, cattle dealer, No. 73,314 C.; *Joseph Jordan*, assignee.

Saturday, Feb. 22.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

Henry W. Ratcliffe, Harrow-street, Lant-street, Southwark, Surrey, wholesale stationer: in the Queen's Prison.—*James Thomas Ratcliffe*, Harrow-street, Lant-street, Southwark, Surrey, wholesale stationer: in the Queen's Prison.—*Edmond Woods*, College-place, Camden-town, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—*Morris Barnett*, Napier-street, Ashley-crescent, City-road, Middlesex, umbrella maker: in the Debtors Prison for London and Middlesex.—*Sarah Debarre*, Adelaide-road, Haverstock-hill, Hampstead, Middlesex, boarding-school keeper: in the Debtors Prison for London and Middlesex.—*William Chester*, King-street, Turk-street, Bethnal-green, Middlesex, beer-shop keeper: in the Debtors Prison for London and Middlesex.—*Leopold Schwabacher*, King-street, Soho, Middlesex, out of business: in the Queen's Prison.—*James*

Forrester, Chancery-place, Camberwell New-road, Surrey, ale and porter dealer: in the Queen's Prison.—*Lewis Worms*, Brook-st., Holborn, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*James Logie*, Great George-street, Bermondsey, Surrey, potato merchant: in the Gaol of Horsemonger-lane.—*Harvey Allpress Harding*, Herbert-st., Great Cambridge-street, Hackney-road, Middlesex, sculptor: in the Debtors Prison for London and Middlesex.—*George Hayes*, Hyde-place, Hoxton, Middlesex, warehouseman to a wholesale haberdasher: in the Debtors Prison for London and Middlesex.—*Thomas Catterick Parkins*, Whitechapel, Middlesex, foreman to a tailor: in the Debtors Prison for London and Middlesex.—*George Strickland*, Bury-st., St. James's, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Francis Kesteven*, St. John-street-road, Clerkenwell, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Geo. Hedley*, Weston-green, Thames Ditton, Surrey, assistant to wholesale hostiers: in the Debtors Prison for London and Middlesex.—*Richd. Thos. Rye*, Paradise-st., Rotherhithe, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*James Edward Godfrey Wilson*, Lindsay-place, Chelsea, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*James Bird*, Birmingham, warehouse clerk: in the Gaol of Coventry.—*Wm. Jewkes*, Dudley, Worcestershire, builder: in the Gaol of Worcester.—*Henry Sadler*, Easebourne, Sussex, in no business: in the Gaol of Petworth.—*Wm. Alex. Sanders*, Stourbridge, Worcestershire, plumber: in the Gaol of Worcester.—*John Ward*, Mordiford, Herefordshire, blacksmith: in the Gaol of Hereford.—*Wm. Law*, Crabble, near Dover, Kent, sugar refiner's assistant: in the Gaol of Maidstone.—*Arthur Osborne*, Newbury, Berkshire, licensed victualler: in the Gaol of Reading.—*James Priscott*, Waterpit's Farm, Spaxton, near Bridgwater, Somersetshire, farmer: in the Gaol of Wilton.—*Lawrence Bradley*, Scholes Wigan, Lancashire, shoemaker: in the Gaol of Lancaster.—*John Dixon*, Fangfoss, near Pocklington, Yorkshire, brick maker: in the Gaol of Lancaster.—*John Parker Sparks*, Bristol, licensed victualler: in the Gaol of Bristol.—*Wm. Pinch*, Bathwick, Bath, Somersetshire, architect: in the Gaol of Wilton.—*T. Davies*, Smethcott, Shropshire, farmer: in the Gaol of Shrewsbury.—*Thos. Greatbach*, Oxford, fishmonger: in the Gaol of Oxford.—*Francis Stubbs*, Snainton, near Pickering, Yorkshire, farmer: in the Gaol of York.—*Samuel Appleby Dawson*, Manchester, chemist: in the Gaol of Lancaster.—*Thos. Foldes Heaton*, Horwich, near Chorley, Lancashire, bleacher: in the Gaol of Lancaster.—*James Isen Ragg*, Timporley, near Manchester, fish dealer: in the Gaol of Lancaster.—*Jas. Walker*, Batley, near Dewsbury, Yorkshire, blanket manufacturer: in the Gaol of York.—*Elizah Lever*, Bolton-le-Moors, Lancashire: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 11 at 11, before the CHIEF COMMISSIONER.

Watson Lemon, Pleasant-place, Hen and Chicken-lane, Lock's-fields, Kent-road, Surrey, paper stainer.

March 13 at 11, before Mr. Commissioner PHILLIPS.

George Tedder, Nelson-square, Blackfriars-road, Surrey, vocalist.—*Wm. Window*, Lea-bridge, Middlesex, retailer of beer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Shropshire, at SHREWSBURY, March 11 at 10.

Thomas Davies, Smethcott, farmer.

At the County Court of Gloucestershire, at BRISTOL, March 12 at 11.

Charles Brooks, Cricklade, Wiltshire, surgeon.—*Thomas Drewett*, Clifton, Bristol, foreman to a carpenter.

At the County Court of Northamptonshire, at NORTHAMPTON, March 12.

Joseph Preston, Northborough, near Market Deeping, in no business.

At the County Court of Somersetshire, at TAUNTON, March 11.

James Priscott, Spaxton, near Bridgwater, farmer.

FRIDAY, FEBRUARY 23.

BANKRUPTS.

JOHN WHITEHEAD, JOHN WHITEHEAD the younger, and **GEORGE WYATT**, Princes-street, Lambeth, Surrey, rectifiers, wine and spirit merchants, dealers and chapmen, (trading under the style or firm of John Whitehead & Co.), March 11 at 2, and April 15 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Michael, 9, Red Lion-sq.—Petition filed Feb. 20.

MARY ASTLE, widow, **JOSEPH THOMAS ASTLE**, **GEORGE ASTLE**, and **CHARLES ASTLE**, late of Cloak-lane, and now of Coleman-st., London, bookbinders and partners, dealer and chapwoman and chapmen, (carrying on business under the firm of Astle & Sons), March 8 at 1, and April 14 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Gregson & Kewell, Angel-court, Throgmorton-st., City.—Petition dated Feb. 28.

THOMAS SEYMOUR DICKINSON and **ROBERT COOPER DICKINSON**, Gresham-street, London, and Leeds, Yorkshire, warehousemen, dealers and chapmen, (trading under the style or firm of Dickinson Brothers), March 10 at 2, and April 5 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Ashurst & Son, Old Jewry.—Petition filed Feb. 24.

DANIEL ODELL, Clophill, Bedfordshire, grocer, dealer and chapman, March 11 at 1, and April 11 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Austin, Bedford, Bedfordshire; Trinder & Eyre, 1, John-street, Bedford-row.—Petition filed Feb. 11.

WILLIAM BROWN, Brunswick-street, Stamford-street, Christchurch, Surrey, engineer, dealer and chapman, March 7 at half-past 11, and April 3 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Blake & Poole, Blackfriars-road.—Fist dated Feb. 27.

HENRY SMITH, Vulcan Iron-works, West Bromwich, Staffordshire, ironfounder and wrought iron manufacturer, March 13 and April 10 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Robinson & Fletcher, Dudley; Woodward, Wednesbury; Motteram & Co., Birmingham.—Petition dated Feb. 22.

WILLIAM HALE, Biahampton, Worcestershire, baker, huxter, and general dealer, dealer and chapman, March 12 and April 1 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Workman & Co., Eversham; Reece, Birmingham.—Petition dated Feb. 10.

THOMAS CARTER, Stafford, coal dealer, dealer and chapman, March 10 and April 14 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Challinor, Hanley, Staffordshire; Smith, Birmingham.—Petition dated Feb. 15.

MEETINGS.

Wm. W. Irving, Gloucester-st., Queen-sq., Bloomsbury, Middlesex, merchant, March 14 at 11, Court of Bankruptcy, London, last ex.—**Francis Masters**, Reading and Newbury, Berkshire, plumber, March 14 at 11, Court of Bankruptcy, London, last ex.—**Geo. Haines**, Northampton, grocer, March 11 at half-past 12, Court of Bankruptcy, London, last ex.—**Joseph H. Stevenson**, Sunderland, Durham, miller, March 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—**Benjamin Smith**, Threadneedle-street, London, and Bow-common, Middlesex, copper smelter, and Duke-street, Lincoln's-inn-fields, Middlesex, silversmith, March 15 at half-past 11, Court of Bankruptcy, London, and ac.—**S. Bernard**, Warwick-st., Regent-st., Middlesex, embroiderer, March 19 at 12, Court of Bankruptcy, London, and ac.—**Richard Northover**, Skinner-street, Bishopsgate-street, and Cheapside, London, lint manufacturer, March 19 at half-past 11, Court of Bankruptcy, London, and ac.—**Gerard Burton**, White-chapel-road, Middlesex, dealer and chapman, March 10 at 12, Court of Bankruptcy, London, and ac.—**Richard Green** the younger, Brighton, Sussex, ironmonger, March 10 at 11, Court of Bankruptcy, London, and ac.—**John Pullen**, Powis-place, Great Ormond-st., Middlesex, lodging-house keeper, March 11 at 11, Court of Bankruptcy, London, and ac.—**Thos. Evans**, Fen Ditton, Cambridgeshire, innkeeper, March 11 at 1, Court of Bankruptcy, London, and ac.—**S. Inghamella**, March, Isle of Ely, Cambridgeshire, machinist, March 11 at 12, Court of Bankruptcy, London, and ac.—**Chas. Marson**, Newmarket, Cambridgeshire, livery-stable keeper, March 20 at 1, Court of Bankruptcy, London, and ac.—**Nathaniel J.**

Hone, Reading, Berkshire, common brewer, March 20 at 11, Court of Bankruptcy, London, and ac.—**James Charles Cochrane Miller**, Clifton-st., Finsbury, Middlesex, surgeon, March 13 at 1, Court of Bankruptcy, London, and ac.—**Henry Sutcliffe** and **Joseph Wm. Harris**, Rochdale, Lancashire, cotton spinners, March 13 at 11, District Court of Bankruptcy, Manchester, and ac.—**Robert Dutton Reeves**, Liverpool, and **Richard Herdman Dawson**, Oxtou, Cheshire, wine and spirit dealers, March 10 at 11, District Court of Bankruptcy, Liverpool, and ac.—**Thomas Dalton**, Coventry, silk dyer, April 8 at 12, District Court of Bankruptcy, Birmingham, and ac.; April 10 at 12, div.—**Charles Dugard Makepeace** and **Robert Strong**, Birmingham, screw manufacturers, March 19 at 12, District Court of Bankruptcy, Birmingham, and ac.; March 20 at 12, div.—**Henry Daves**, Great Malvern, Worcestershire, maltster, March 19 at 12, District Court of Bankruptcy, Birmingham, and ac.—**Wm. Perkins**, Uttoxeter, Staffordshire, timber merchant, March 10 at 10, District Court of Bankruptcy, Birmingham, and ac.—**Jacob Montefiore** and **Joseph Barrow Montefiore**, George-st., Mansion-house-st., London, merchants, March 22 at half-past 12, Court of Bankruptcy, London, div.—**William Heygate**, Watford, Northamptonshire, and Chardstock, Dorsetshire, brickmaker, March 22 at 1, Court of Bankruptcy, London, div.—**Edward Thomas Andrews**, Southampton, ironmonger, March 22 at 12, Court of Bankruptcy, London, div.—**George Edward Inger**, Nottingham, druggist, March 21 at 10, District Court of Bankruptcy, Nottingham, and ac. and div.—**Henry Deverill**, Stoke-upon-Trent, Staffordshire, and Congleton, Cheshire, corn factor, March 10 at 11, District Court of Bankruptcy, Birmingham, and ac.; March 24 at 11, div.—**John Harriman**, Nottingham, draper, March 21 at 10, District Court of Bankruptcy, Nottingham, and ac. and div.—**J. Moore**, Nottingham, cabinet maker, March 21 at 10, District Court of Bankruptcy, Nottingham, and ac. and div.—**Wm. Walker**, Mansfield, Nottinghamshire, innkeeper, March 21 at 10, District Court of Bankruptcy, Nottingham, and ac. and div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Mayhew Casdale, Norwich, draper, March 21 at 11, Court of Bankruptcy, London.—**Charles George Jones**, Oxford-st., Middlesex, licensed victualler, March 21 at 2, Court of Bankruptcy, London.—**Charles Stephens**, Milton-next-Gravesend, Kent, builder, March 22 at 11, Court of Bankruptcy, London.—**Samuel Willett** the elder, Cheltenham, Gloucestershire, plumber, March 19 at 12, District Court of Bankruptcy, Bristol.—**Joseph Rawling**, Selby, Yorkshire, shoemaker, March 24 at 12, District Court of Bankruptcy, Leeds.—**Wm. Hen. Catton** and **Charles Catton**, Milnsbridge, near Huddersfield, Yorkshire, dyers, March 24 at 11, District Court of Bankruptcy, Leeds.—**Richard Kaye**, Liverpool, butcher, March 21 at 11, District Court of Bankruptcy, Liverpool.—**James Smith**, Darlington, Durham, boot maker, March 27 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—**James Graham**, Ardwick, Manchester, joiner, March 25 at 12, District Court of Bankruptcy, Manchester.—**James Flower**, Sheffield, Yorkshire, ironfounder, March 22 at 10, District Court of Bankruptcy, Sheffield.—**Robt. Bruin**, Blaby, Leicestershire, baker, March 21 at 10, District Court of Bankruptcy, Nottingham.—**Thos. Matthews**, Kenilworth, Warwickshire, licensed victualler, March 24 at 11, District Court of Bankruptcy, Birmingham.—**James Letts**, Leamington Priors, Warwickshire, miller, March 24 at 11, District Court of Bankruptcy, Birmingham.—**Robert John Wallis**, Loughborough, Leicestershire, wine merchant, March 21 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Henry Bythe, Brighton, Sussex, builder.—**Henry Wilkins**, High-st., Kensington, Middlesex, draper.—**Stillwell Jenks**, King-street, Hammersmith, Middlesex, cheesemonger.—**Thomas Hearn**, Portsmouth, Southampton, licensed victualler.—**Frederick Vines**, South-street, Greenwich, Kent, miller.—**Edward West**, Hand-court, Dowgate, London, printer.—**William Smith**, Standard Saw-mills, Canal-road, Kingalund, Middlesex, timber merchant.—**James Kite**, Crewkerne, Somersetshire, wine merchant.—**Wm. Huse**, Stockport, Cheshire, draper.—**Thos. Clarke**, Newport, Monmouthshire, grocer.—**John Lindsey**, Neath, Glamorganshire, grocer.

PARTNERSHIP DISSOLVED.

Philip Hubbersty and George Hodgkinson, Wirksworth, Derbyshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

William Key, St. Andrew's, cabinet maker.—*Gavin Barr*, Glasgow, accountant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

J. Brooks, Brigg, Lincolnshire, earthenware dealer, March 15 at 11, County Court of Lincolnshire, at Brigg.—*John Powell*, Llanhamlach, Brecknockshire, innkeeper, March 7 at 10, County Court of Brecknockshire, at Brecknock.—*David Jones*, Clyro, Radnorshire, saddler, March 6 at 10, County Court of Brecknockshire, at Hay.—*J. C. Pritchard*, Maesteg, Llangonoyd, Glamorganshire, assistant surgeon, March 14 at 10, County Court of Glamorganshire, at Bridgend.—*Thomas Phillips*, Merthyr Tydfil, Glamorganshire, cordwainer, March 11 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*W. Rayner*, Brecknock, whitewash, March 7 at 10, County Court of Brecknockshire, at Brecknock.—*P. Lewis* the younger, Merthyr Tydfil, Glamorganshire, licensed brewer, March 11 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*J. Wabely*, Honiton, Devonshire, baker, March 12 at 10, County Court of Devonshire, at Honiton.—*Nathaniel Griffin*, Coaley, near Dursley, Gloucestershire, edge-tool maker, March 24 at 11, County Court of Gloucestershire, at Dursley.—*J. Davies*, Llanthoyssaint, Carmarthenshire, farmer, March 14 at 11, County Court of Carmarthenshire, at Llandovery.—*Thomas Blowers*, Stonham Aspell, Suffolk, cabinet maker, March 14 at 10, County Court of Suffolk, at Ipswich.—*C. F. Palmer*, Ipswich, Suffolk, clerk to the Eastern Union Railway Company, March 14 at 10, County Court of Suffolk, at Ipswich.—*Wm. Dinwale*, Brumby, Lincolnshire, farmer, March 15 at 11, County Court of Lincolnshire, at Brigg.—*Hewison Briggs*, Little Steeping, Lincolnshire, farmer, March 12 at 10, County Court of Lincolnshire, at Spillaby.—*John Dodson*, Syresham, Northamptonshire, baker, March 17 at 11, County Court of Northamptonshire, at Brackley.—*John Hoesick*, Crofton, Woodhorn, near Blyth, Northumberland, mason, March 21 at half-past 10, County Court of Northumberland, at North Shields.—*R. S. Thornton*, Kingston-upon-Hull, bricklayer, March 15 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*J. Turnbull*, Gateshead, Durham, cheese factor, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*J. Brown*, Newcastle-upon-Tyne, miller, March 24 at 10, County Court of Durham, at Gateshead.—*Smith Jackson*, Newcastle-upon-Tyne, innkeeper, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Jas. Plender*, North Shields, Northumberland, tailor, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*J. Wiley*, Newcastle-upon-Tyne, mason, March 20 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Thomas Terrett*, Coleford, Gloucestershire, carpenter, March 14 at 2, County Court of Monmouthshire, at Monmouth.—*Jacob Griffiths*, Oldbury, Worcestershire, banksman, March 5 at 2, County Court of Staffordshire, at Oldbury.—*Joseph Strudwick*, Hartmore Bottom, Godalming, Surrey, shopkeeper, March 24 at 2, County Court of Surrey, at Godalming.—*James Sutton*, Salford, Lancashire, fly manufacturer, March 12 at 12, County Court of Lancashire, at Salford.—*John Stevens*, Bayham Abbey, Frant, Sussex, out of business, March 13 at 10, County Court of Kent, at Tambridge Wells.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 14 at 11, before the CHIEF COMMISSIONER.

Wm. Grover, Long-acre, Middlesex, fruit salesman.

March 14 at 10, before Mr. Commissioner LAW.

William Haines, Brick-lane, Spitalfields, Middlesex, pastry cook.—*George Field*, Barnet-common, Barnet, Hertfordshire, potter.—*Henry Delamare*, Isabella-cottage, Clayland's-road, Clapham-road, Surrey, clerk to a publisher of prints.

March 15 at 11, before Mr. Commissioner PHILLIPS.

Mary King, widow, Upper-marsh, Stangate, Lambeth, Surrey, charwoman.—*Chas. Hen. Wright Dickenson*, East-lane, Greenwich, Kent, retailer of milk.—*Henry Amedon*, Albany-place, Kentish-town, Middlesex, greengrocer.—*Henry Sweet*, St. John-street-road, Clerkenwell, Middlesex, clerk to a wholesale cheesemonger.

March 17 at 10, before Mr. Commissioner LAW.

John Taylor, James-street, Larkhall-lane, Clapham, Surrey, greengrocer.—*William Hill Powell*, Somerset-place, Forest-row, Dalston, Middlesex, out-door messenger to the Court for Relief of Insolvent Debtors.

March 17 at 11, before Mr. Commissioner PHILLIPS.

Thomas Johnson, Skianer-street, Finsbury, Middlesex, bedstead maker.—*John King* the younger, Wells-street, Oxford-street, Middlesex, dealer in milk.—*Richard Jones*, Vauxhall-street, Vauxhall, Lambeth, Surrey, accountant.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 14 at 11, before the CHIEF COMMISSIONER.

Joseph Middlemas, Globe-cottage, Russia-lane, Victoria-park, Middlesex, pork butcher.—*James Forrester*, Chancery-place, Camberwell New-road, Camberwell, Surrey, out of business.

March 14 at 10, before Mr. Commissioner LAW.

Samuel Perkins, Wellington-street, Newington-causeway, Surrey, out of business.

March 15 at 11, before Mr. Commissioner PHILLIPS.

Adam Young, Fenison-street, York-road, Lambeth, Surrey, following no business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

John Woods, Walton Brook-lane, near Liverpool, attorney-at-law, No. 73,326; *Thomas Latham*, assignee.—*Thomas Rawlins*, Liverpool, surgeon, No. 73,371; *Thomas Johnson*, assignee.—*William Boyes*, Liverpool, out of business, No. 73,293; *Thomas Mellor*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,

March 14 at 11.

Richard Buggeln, Newton-in-the-Willows, out of business.—*Thomas Gardner*, Manchester, glass stainer.—*Patrick Tysner*, Liverpool, plasterer.—*James Ioon Ragg*, Timperley, near Manchester, out of business.—*Elijah Lever*, Bolton-le-Moors, licensed victualler.—*Hen. Bonnor*, Manchester, fancy-box maker.—*Thomas Folds Heaton*, Wilderswood, Horwich, near Chorley, bleacher.—*Samuel Appleby Dawson*, Manchester, out of business.—*Nelson Lees*, Manchester, out of business.—*John Dixon*, Fangfoss, near Pocklington, Yorkshire, brick-maker.—*Henry Appleton*, Hulme, Manchester, stonemason.—*Edmund Kay*, Hulme, Manchester, out of business.—*George Archer*, Liverpool, salesman to a butcher.—*Thomas Holden*, Chorlton-upon-Medlock, Manchester, provision dealer.—*Thomas Stothard*, Hulme, Manchester, joiner.—*Edmund Andrew*, Middleton, near Manchester, grocer.—*Jos. Newall*, Manchester, provision dealer.—*Jas. Cox*, Hulme, Manchester, ironfounder.—*Thomas Owen Jones*, Hulme, Manchester, out of business.—*John Whipp*, Hulme, Manchester, butcher.

At the County Court of Warwickshire, at COVENTRY,
March 18.

Joseph William Morris, Birmingham, farmer.—*Thomas Kemp*, Birmingham, builder.—*Robert Wicks*, Birmingham, licensed victualler.—*James Bird*, Birmingham, clerk.—*Robt. Gardner*, Birmingham, grocer.

INSOLVENT DEBTOR'S DIVIDEND.

Hannah Bull, widow, Bristol, Messrs. Mutlow's, Ledbury, Herefordshire: 20s. in the pound.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed Thomas Wight the younger, Gent., of Kingswinford, in the county of Stafford, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Stafford.

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MARCH 8, 1851.

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LONDON, MARCH 8, 1851.

THERE is at present a great movement for reform of the law of patents, and many suggestions have emanated from learned and scientific persons*. The law of patents, beyond all question, needs some, perhaps much alteration—some of principle, some of detail. At the same time, to cry it down as unmitigatedly bad, and as having been productive of no benefit to the manufacturing arts of the country, is unworthy of any rational and thinking law reformer. Again: to find fault with the law of patents as “judge-made law” is merely to use words—to designate the law by what may be termed a slang phrase, to which a certain meaning is attached by a certain class of persons, and then to attribute to the thing so designated the qualities described by the slang phrase. In a sense, all English law is judge-made; while in a stricter sense there is no such thing as judge-made law, and so every lawyer knows, and every person affecting to meddle in law reform ought to know.

The law of patents, like every other branch of the law of England, consists of the rules of the common law, and the rules laid down by the Legislature; and it is only thus far judge-made, that when, from the general language used by the traditions or the acts of Parliament, their construction, as applied to a particular question, is doubtful, the judges construe it; they do not make a law, but declare what the law was and is.

Now, we are not going to make any attempt to shew that the law of patents, such as it is, is the most perfect law that can be; nor are we going to argue that because, during the existence of a law, a certain amount of success has been achieved in invention, therefore the law is the cause of the success; but we are going to assert, that with all its faults, and they are many, the law of patents has fostered in this country useful invention; and we assert that it has done so because it has afforded

a protection to the beneficial enjoyment by an inventor of the product of his own invention and industry. It has operated upon inventors as leases operate upon tenant farmers, to assure to them some amount of security, that if they will sow, they, and not their landlords, alone shall reap.

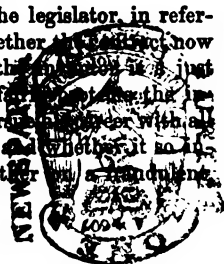
Thus, as a farmer may pay too high a rent or premium for his lease, so may an inventor pay too high a price for his patent; and again, as a farmer might suffer if the law applicable to the construction of his lease, and to the rights of a lessee generally, were too vague, so may a patentee if the law relating to his rights is obnoxious to the same imputation.

Now, with regard to the rent paid by the patentee to his grantor, the public, the amount of it is fixed by the grantor, and is beyond all question too high; and as to the state of the law affecting the construction of his grant and his covenants with the public, that is also beyond all question not as certain as it ought to be, and as it probably may be made.

We throw overboard all the philosophical talk about the inborn right of property of inventors in the production of their own brains, &c., in which certain persons and bodies delight, because we conceive it to be, legally and politically speaking, simple cant. There is no such inborn right to any property, even to that of the most tangible and solid kind, still less is there any to property of so peculiar a kind as one man's right to prevent every other man from making a particular thing, simply because the first has taught the other how to make it. All rights of property are the result of civil contract, and are regulated and bounded by the civil laws of the country. This we take to be good English law, and not less good sense. At any rate, all history demonstrates it to be a political fact.

The only question, then, for the legislator in reference to the law of patents, is, whether the law now existing between the State and the inventor is a just and politic contract; whether it fairly induces the inventor, so as to induce him to pursue his invention with all his heart and with all his mind; and whether it so induces him upon a true, or whether upon a fraudulent, representation of protection.

* These are compared and discussed in a pamphlet, which, though written in a rather rambling style, may be read with advantage by those interested in the subject. “Remarks,” &c., by T. Turner, Barrister. Elsworth. 1851.



On this practical question we shall offer a few, and but a few, remarks at present.

First, as to the expense of obtaining a patent. It may be doubted whether any greater charge ought to be made than is sufficient to repay the expense to which the State is put in maintaining the necessary offices and staff for preparing and issuing patents. At any rate, if to the amount charged for defraying such expenses some moderate addition were made for producing some return to the public revenue, that would be the maximum at which it may be thought that a political government would place the price that an inventor should be charged for his grant; because, be it remembered, the real return that he makes to the public for the exclusive right conceded to him for a term is the reversion of his invention—in many cases a return of the most splendid pecuniary value.

Secondly, as to the routine of passing a patent. The numerous stages through which it now passes were, it is well known, contrived by our ancient law for the purpose of preventing the Crown from being deluded into improper grants, not of patents for invention, but of things in themselves of tangible value—land, dignities, and the like. The analogy between such grants and grants of patents for invention wholly fails. As to the latter, the only fraud that is to be guarded against is that of one man presenting himself as an inventor of that which he has, in fact, stolen from another; and if a sufficient protection to the State (by requiring proper notices and time for inquiry, so as to give time to the real Simon Pure to make his appearance) is provided against this species of fraud, all the rest of the sealings and revealings, warrants and reports, &c., may be safely dismissed as utterly idle forms.

The improvements most required are, however, these—some proper regulations, by which a patentee can from time to time amend his patent in any way that his increased experience suggests; and such registration of patents as will enable a purchaser to be guarded against incumbrances.

The great difficulty under which a patentee labours is this:—With certain exceptions, (and very limited ones), he is finally bound by his patent as described in his specification; so that if, being no lawyer, he has failed in legally expressing his meaning, or if his lawyer, being no mechanic or chemist, has failed to fully perceive his client's meaning, and has thus drawn the specification, as it were, contrary to instructions; or if, which is much more common, the full-grown invention, as it is matured by practice, is to any material extent different from the infant cradled in the specification, there is for the patentee no protection; his patent fails, and there is an end of it. He may have spent thousands—he may have produced really a most valuable manufacture; no matter, it is not in the bond, and the public takes it. Now, there may be many ways of guarding against this manifest injustice and impolicy. But one, which would be very if not wholly effective, would be to allow a patentee at any time to correct, amend, expand, or otherwise alter his specification; making it a sufficient description of his invention as he from time to time improves it; and to give him the same privilege for the rest of his original term, in respect of the additional matter, as he had before in

the original matter. The result of such an alteration of the law would be as beneficial to the public as to the patentee. The reversion would, in effect, be enriched by all the patentee's improvements.

We could say more on this subject, but our space does not permit details; and without going into details, any further remarks would not be of material usefulness.

SINCE OUR former review of decisions under the criminal law*, judgment has been delivered in the important case of *Reg. v. Robert and Sarah Bird*, (20 L. J., M. C., 70; 15 Jur., part 1, p. 193). The facts of that case may be thus briefly stated:—The prisoners were indicted for murder, which was charged in the indictment to have been committed by blows. Several assaults were proved, but it was shewn that death was caused exclusively by one blow; and as there was no evidence to fix the prisoners with having struck that blow, they were acquitted. They were subsequently indicted for the same assaults, and pleaded *autrefois* acquit. The jury were directed, that if they were satisfied that there were several distinct and independent assaults, some or any of which did not in any way conduce to the death, they should find for the Crown, which they did. On a case reserved, this direction was upheld by a majority of the judges, (eight to six†), upon the ground that the assaults were proved to have been unconnected with the homicide. The case turned upon the construction of Lord Denman's Act, 7 Will. 4 & 1 Vict. c. 85, s. 11. By that section, "on the trial of any person for any of the offences hereinbefore mentioned, or for any felony whatever, where the crime charged shall include an assault against the person, it shall be lawful for the jury to acquit of the felony, and to find a verdict of guilty of assault against the person indicted, if the evidence shall warrant such finding‡." The whole question to be decided was, whether the prisoners, upon the trial for murder, could have been convicted of the assaults for which they were subsequently indicted; for if so, it was conceded by the counsel for the Crown, that they could not be put in peril for them a second time.

Another case recently decided under the same statute is that of *Reg. v. Reid and Others*, (15 Jur., part 1, p. 181), in which the prisoners were indicted for robbery, and for beating the prosecutor at the time of the robbery. The jury found that they were guilty of assaulting the prosecutor *with intent to rob him*. The conviction was reversed, upon the ground that the indictment did not include a charge of the minor felony of assaulting with intent to rob, and that the verdict, being a finding of a felonious assault, would not justify a conviction of assault under the above-mentioned statute. Jervis, C. J., in delivering judgment, said that

* See 14 Jur., part 1, p. 1052. The cases of *Reg. v. Wiley* and *Reg. v. Ferrall* there cited have been since reported, the former in 15 Jur., part 1, p. 134, and the latter *id.*, p. 42.

† The majority were Pollock, C. B., Patteson, Coleridge, Wightman, Cresswell, Erle, Williams, and Talfourd, JJ. The minority, Lord Campbell, C. J., Jervis, C. J., Parke, B., Alderson, B., Maule, J., and Martin, B.

‡ See the sections of the statute, and cases thereon, 1 Russ. Cr. 719, 778, & seq., and see note to p. 782, 3rd ed.

he should not send the certificate of discharge for some days, so that the magistrates might take the depositions again, and the prisoners might be tried at the next assizes on an indictment for the assault with intent to rob.

To constitute an "uttering" of counterfeit coin, it is sufficient that there should be a mere offer of it. Where, therefore, the prisoner, in payment of some goods at a shop, put down on the counter a counterfeit shilling, which was taken up by the shopman, who said that it was bad, and thereupon the prisoner quitted the shop, leaving the coin there, it was held, that the prisoner had "uttered and put off" the shilling within the statute. (*Reg. v. Welch*, 15 Jur., part 1, p. 136). Cresswell, J., said that he remembered a very strong case of forgery, in which the prisoner produced a forged receipt, but refused to part with it, and the party to whom he offered it took it out of his hand; and the prisoner was convicted of having uttered and put it off.

An indictment charged the prisoner with attempting, by false pretences made to J. B. and others, to defraud the said J. B. and others of goods, the property of J. B. and others. The prisoner, as it was proved, made the pretence to J. B. only, with intent to defraud him and his partners of property belonging to the firm. The Court held that the words "and others" might be rejected from that part of the indictment in which they occurred, as surplusage; (*Reg. v. Kealey*, 20 L. J., M. C., 57); and it appears that there was no variance, as a representation made to one of a firm is a representation to the whole firm. The Court are reported to have expressed an opinion that the statute does not authorise the using the expression "and others" in indictments, as descriptive of individuals, except in alleging the ownership of property, although the concluding words of the section (7 Geo. 4, c. 64, s. 14) are, "Whenever in any indictment, &c. it shall be necessary to mention, for any purpose whatsoever, any partners, &c., it shall be sufficient so to describe them."

The circumstances necessary to constitute a "receipt" of stolen goods were fully considered in *Reg. v. Wiley*, (15 Jur., part 1, p. 134), which we noticed in a former article, (14 Jur., part 2, p. 498). In *Reg. v. Dovey*, (20 L. J., M. C., 105), D. and G. were indicted in a single count for feloniously receiving stolen goods. It was proved that D. first received some of the goods; evidence was then given that G., at a separate time and place, received another portion of them. The jury having found both guilty, the conviction was reversed as against G., as the prisoners could not be properly convicted of a joint receipt on proof of separate acts of receiving; and the evidence given against D. having fully satisfied the allegation of a receiving in the indictment, the evidence of receipt by G. ought not to have been admitted.

The question so often mooted, as to what is a "warrant" or "order" for the payment of money within the meaning of the 11 Geo. 4 & 1 Will. 4, c. 66, was again considered in *Reg. v. Dawson*, (15 Jur., part 1, p. 169). The prisoner forged and delivered as genuine to B., who owed money to A., a letter, purporting to be written by A., and addressed to B., in which, after setting out the amount due from B., A. was made to say, "Sir,—I hope you will excuse my sending for such a trifle, &c., but I am obliged to hunt after every

shilling." The document was held to be a "warrant" for the payment of money, and the Court seemed to think that it amounted to an "order." (See also *Reg. v. Williams*, 14 Jur., part 2, p. 497).

A conspiracy to procure, by false representations and other fraudulent means, a young girl to have illicit carnal connexion with a man, is a misdemeanour at common law. (*Reg. v. Mears and Another*, 15 Jur., part 1, p. 66). Two counts of the indictment were framed upon the stat. 12 & 13 Vict. c. 76.

London Gazette.

TUESDAY, MARCH 4.

BANKRUPTS.

JOHN SMITH, Victoria-st., Islington, Middlesex, builder, dealer and chapman, March 11 at half-past 1, and April 11 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Tucker & Stevenson, Sun-chambers, Threadneedle-street.—Petition filed Feb. 21.

JAMES LONERAGAN, Cambridge-terrace, Lower-road, Islington, Middlesex, corn dealer, March 13 and April 11 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Butler, jun., 134, Tooley-st., Southwark.—Petition dated Feb. 24.

WILLIAM TAYLOR, Creek-road, Deptford, Kent, shipwright, dealer and chapman, March 13 and April 10 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Staniland, Bouverie-st., Fleet-st.—Petition filed Feb. 27.

EDWARD EMMERTON, Woburn Sands, Wavendon, Buckinghamshire, innkeeper, March 14 at half-past 12, and April 14 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Greene, Amphill, Bedfordshire; Barron & Clarke, Bloomsbury-sq.—Petition dated Feb. 28.

WILLIAM WIELER, Crutched-friars, London, merchant, dealer and chapman, March 15 and April 14 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Marten & Co., Commercial Sale-rooms, Mincing-lane, City.—Petition dated March 1.

RUDOLPH MOLKENTIN, formerly of Bedford-street, Commercial-road East, Middlesex, and late of the Minorities, London, shoe manufacturer, dealer and chapman, March 18 at 2, and April 15 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Lettis, 8, Bartlett's-buildings, Holborn.—Petition filed Feb. 21.

HENRY EDWARDS THOMPSON, Long-acre, Middlesex, India rubber bath manufacturer, dealer and chapman, March 18 and April 15 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Prichard & Collette, 57, Lincoln's-inn-fields.—Petition filed Feb. 26.

THOMAS DENNIS, Lowestoft, Suffolk, builder, dealer and chapman, March 19 and April 15 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Seago, Lowestoft, Suffolk; Overton & Hughes, 25, Old Jewry.—Petition filed Feb. 21.

WILLIAM PHILLIPS, Warwick, builder, March 17 at 11, and April 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham; Taylor, Great James-st., London.—Petition dated Feb. 27.

THOMAS GRIFFITHS, Darlaston, Staffordshire, stonemason, stone merchant, dealer and chapman, March 18 and April 16 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Duigam & Hemmant, Walsall; Smith, Birmingham.—Petition dated Feb. 27.

JOHN BROWNSORD, Nottingham, butcher, dealer and chapman, March 21 and April 11 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Petition dated March 1.

JOHN SUKER and HENRY SUKER, Birkenhead, Cheshire, carpet and furniture dealers and upholsterers, dealers and chapmen, (carrying on business under the style or firm of John and Henry Suker), March 13 and April 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird.—Petition filed March 3.

EDWIN UNITT, Mickleton, Gloucestershire, cattle dealer, dealer and chapman, March 18 and April 15 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Paokwood, Cheltenham.—Petition filed Feb. 25.

HENRY CHARLES, Levenshulme, Manchester, flour dealer, dealer and chapman, March 21 and April 10 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Dearden, Manchester.—Petition filed Feb. 27.

MEETINGS.

Henry Southgate and *Wm. Millar Robertson*, Fleet-street, London, auctioneers, March 15 at 12, Court of Bankruptcy, London, pr. d.—*Wm. Suddaby*, Kingston-upon-Hull, millwright, April 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, last ex.—*Thomas Williams*, Sandiway, Weaverham, Cheshire, innkeeper, March 14 at 12, District Court of Bankruptcy, Liverpool, last ex.—*J. Fawcett*, Kingston-upon-Hull, timber merchant, March 26 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and fin. div.—*T. Newell*, Rhosddu, Colfryn, Llansaniffraid, Montgomeryshire, horse dealer, March 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*H. T. Baines*, Camden-road, Camden New-town, Middlesex, linendraper, March 27 at 1, Court of Bankruptcy, London, div.—*Charles George Jones*, Oxford-street, Middlesex, licensed victualler, March 27 at 11, Court of Bankruptcy, London, div.—*Charles Richmond Polttinger*, Hardwick-place, Commercial-road East, Middlesex, wine merchant, March 25 at 2, Court of Bankruptcy, London, div.—*John Holley*, Norton St. Philip, Somersetshire, miller, March 27 at 11, District Court of Bankruptcy, Bristol, div.—*James Kyrke*, Glascoed, Denbighshire, limeburner, March 25 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Edwin Trent, Sherborne, Dorsetshire, and Yeovil, Somersetshire, draper, March 28 at 1, Court of Bankruptcy, London.—*John Burgoyne Pillin* and *George Alfred Pillin*, Featherstone-buildings, Holborn, Middlesex, sword-cutlers, March 26 at 12, Court of Bankruptcy, London.—*Jesse Smith*, Kent-place, Old Kent-road, Surrey, cheesemonger, March 25 at 2, Court of Bankruptcy, London.—*William Cave Cranwell*, Ely, Cambridgeshire, potato merchant, March 27 at 12, Court of Bankruptcy, London.—*Herbert Tewson Baines*, Camden-road, Camden New-town, Middlesex, linendraper, March 25 at 2, Court of Bankruptcy, London.—*John Blain*, Liverpool, stationer, March 25 at 11, District Court of Bankruptcy, Liverpool.—*William Cousins*, Wolverhampton, Staffordshire, coach builder, March 26 at 12, District Court of Bankruptcy, Birmingham.—*John Firth*, Leeds, Yorkshire, linendraper, March 27 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

William Carter, High-street, Southwark, Surrey, shoemaker.—*William Laycock*, Liverpool, iron merchant.—*James Fielding*, Manchester, provision dealer.—*William Bradburn*, Tong, Shropshire, corn dealer.—*Robert Chattam*, Goole, Yorkshire, innkeeper.—*Francis Blanchard*, Leeds, Yorkshire, tailor.

PARTNERSHIP DISSOLVED.

William Henry Dickson and *Nathaniel Overbury*, Frederick's-place, Old Jewry, London, attornies-at-law and solicitors in equity.

SCOTCH SEQUESTRATIONS.

James Cleland, Glasgow, ironfounder.—*Donald Mackenzie*, Helmsdale, Sutherlandshire, fish curer.—*James Steven*, Glasgow, ropemaker.—*James Menzie*, Oban, Argyleshire, hotel keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Benjamin Balcomb the younger, Clifton-farm, Arlington, near Hailsham, Sussex, farmer, March 25 at 12, County Court of Sussex, at Lewes.—*Edwin Buller*, Cambridge, out of employment, March 17 at 10, County Court of Cambridgeshire, at Cambridge.—*George Marvely*, Swansea, Glamorganshire, builder, March 17 at 10, County Court of Glamorganshire, at

Swansea.—*John Taylor*, Huddersfield, Yorkshire, cloth manufacturer, March 21 at 10, County Court of Yorkshire, at Huddersfield.—*William Richard Jackson*, Kimberton, Shropshire, farmer, March 8 at 10, County Court of Shropshire, at Madeley.—*Richard Lees*, Tong, Shropshire, March 8 at 10, County Court of Shropshire, at Madeley.—*Edward Cashman*, Dover, Kent, tailor, March 10 at 10, County Court of Kent, at Dover.—*Thos. Ellison*, Slaley, Northumberland, labourer, March 31 at 11, County Court of Northumberland, at Hexham.—*James Soper*, Torquay, Tormoham, Devonshire, baker, March 22 at 11, County Court of Devonshire, at Newton Abbot.—*John Hudder*, Favor, St. Mary Church, Devonshire, limeburner, March 22 at 11, County Court of Devonshire, at Newton Abbot.—*Thomas Leonard*, Cwmbrane, Llanvrechva Upper, Monmouthshire, labourer, March 20 at 10, County Court of Monmouthshire, at Pontypool.—*James Rogers*, Trosant, Trevethin, Monmouthshire, butcher, March 20 at 10, County Court of Monmouthshire, at Pontypool.—*J. Harries*, Penrallt, St. Dogwell's, Pembrokeshire, weaver, March 21 at 10, County Court of Pembrokeshire, at Haverfordwest.—*Joseph Holmes*, Keighley, Yorkshire, out of business, March 26 at 11, County Court of Yorkshire, at Keighley.—*Thomas Williams*, Tredegar, Monmouthshire, hair dresser, March 21 at 10, County Court of Monmouthshire, at Tredegar.—*William Morgan*, Newport, Monmouthshire, butcher, March 18 at 12, County Court of Monmouthshire, at Newport.—*William Burbidge*, Coventry, Warwickshire, licensed victualler, March 18 at 2, County Court of Warwickshire, at Coventry.—*Dan Wilkinson*, Anley, Warwickshire, farmer, March 19 at 2, County Court of Warwickshire, at Nuneaton.—*Henry Hunt*, Foleshill, near Coventry, Warwickshire, carpenter, March 18 at 2, County Court of Warwickshire, at Coventry.—*A. Sheppard*, Marlborough, Wiltshire, saddler, March 11 at 11, County Court of Wiltshire, at Devizes.—*J. Akerman*, Westbrook, Bromham, Wiltshire, innkeeper, March 11 at 11, County Court of Wiltshire, at Devizes.—*Joseph Banks*, Ewell, Kent, farmer, March 10 at 10, County Court of Kent, at Dover.—*Edward Slade*, Farnhurst, Sussex, painter, March 19 at 11, County Court of Sussex, at Chichester.—*Jas. Weeks*, Newport, Isle of Wight, Southampton, butcher, March 19 at 10, County Court of Hampshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 19 at 11, before the CHIEF COMMISSIONER.

Wm. H. Murrell, Poultry, London, lithographer.—*F. F. Hilder*, Paradise-street, Rotherhithe, Surrey, clerk to a ship builder.—*Henry E. Nicolls*, Edward-street, Hampstead-road, Middlesex, out of business.—*Timothy Driscoll*, Lucas-street, Commercial-road East, Middlesex, foreman in the Cigar Department of St. Catherine's Docks.—*Jesse Ruse* the younger, Penton-row, Walworth-road, Surrey, baker.

March 19 at 10, before Mr. Commissioner LAW.

Wm. N. Shaw, Great Marylebone-street, Portland-place, Middlesex, clerk in the Money Order Department of the General Post-office, St. Martin's-le-Grand, London.

Saturday, March 1.

The following Assignees has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Richard Webster, Everton, Liverpool, cart owner, No. 73,052 C.; Harwood Banner, assignee.

Saturday, March 1.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Willmott, Great Cambridge-street, Hackney-road, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Benj. Nuttman*, Old Bailey, London, engineer: in the Queen's Prison.—*Robert Benj. Greenwood*, Holt-place, New North-road, Islington, Middlesex, pork butcher: in the Debtors Prison for London and Middlesex.—*John Henry Doyle*, Strand, Middlesex, editor of the Weekly Chronicle newspaper: in the Queen's Prison.—*Jas. Canning-*

ton, Gloucester-place, Kentish-town, Middlesex, not in any business: in the Debtors Prison for London and Middlesex.—*John A. Green*, Wardrobe-terrace, Doctors'-commons, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Wm. Stent*, Orchard-street, Portman-sq., Middlesex, architect: in the Queen's Prison.—*A. Beeton*, Greenhithe, Kent, out of business: in the Debtors Prison for London and Middlesex.—*Fred. W. Stent*, Orchard-street, Portman-square, Middlesex, architect: in the Queen's Prison.—*Randall Litten*, Manor-street, Chelsea, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Henry Phillips*, Sussex-place, Canonbury-square, Islington, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Jacob Smith*, Kingsland-road, Shoreditch, Middlesex, house agent: in the Queen's Prison.—*C. M. G. Quantrell*, Old Cavendish-street, Oxford-street, Middlesex, lieutenant in her Majesty's 55th Regiment of Foot: in the Queen's Prison.—*Charles Collingridge*, Cochrane-terrace, St. John's-wood, and Lincoln's-inn-fields, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*W. Cooke*, Harrow-road, Paddington, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—*Lewis Garrett*, Broad-court, Drury-lane, Middlesex, agent for the sale of ales: in the Debtors Prison for London and Middlesex.—*Richard Scoones*, Union-row, Church-street, Edmonton, Middlesex, bootmaker: in the Debtors Prison for London and Middlesex.—*Thomas Fox*, Jeffrey's-terrace, Kentish-town, Middlesex, clerk in the Clearing-house, Euston-square Railway Station: in the Debtors Prison for London and Middlesex.—*Alex. C. King*, Carlton-square, New-cross, Surrey, barrister's clerk: in the Queen's Prison.

(On Creditor's Petition).

Wm. Bagham, Esq., Union Hotel, Cockspur-street, and Reform Club, Pall-mall, Middlesex: in the Queen's Prison.

(On their own Petitions).

George Archer, Liverpool, butcher: in the Gaol of Lancaster.—*Henry Appleton*, Hulme, Manchester, stonemason: in the Gaol of Lancaster.—*Thomas Holden*, Chorlton-upon-Medlock, Manchester, provision dealer: in the Gaol of Lancaster.—*William Jordison*, Upsall, near Thirsk, Yorkshire, farmer: in the Gaol of York.—*Edmund Kay*, Hulme, Manchester, beer-seller: in the Gaol of Lancaster.—*Thos. Stothard*, Hulme, Manchester, joiner: in the Gaol of Lancaster.—*George Parker*, Blackburn, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Wm. Bagg*, Topsham, Devonshire, labourer: in the Gaol of St. Thomas the Apostle.—*Chas. Augustus Fitzroy*, Leeds, Yorkshire, publican: in the Gaol of York.—*Jas. Hiltchin*, Shaw Chapel, Crompton, near Oldham, Lancashire, brass founder: in the Gaol of Lancaster.—*Geo. Shuttleworth*, Blackburn, Lancashire, hatter: in the Gaol of Lancaster.—*Wm. Yeoman* the younger, Beilby, near Pocklington, Yorkshire, farmer: in the Gaol of York.—*B. Parslow*, Hatton, Eaton-under-Haywood, Shropshire, auctioneer: in the Gaol of Shrewsbury.—*William Thompson*, North Sunderland, Bamfborough, Northumberland, joiner: in the Gaol of Morpeth.—*Charles Baguley*, Bollington, near Macclesfield, Cheshire, grocer: in the Gaol of Chester.—*Geo. Boughey* the younger, Nuneaton, Warwickshire, grocer: in the Gaol of Coventry.—*Samuel Clay*, Wortley, near Leeds, Yorkshire, grocer: in the Gaol of York.—*Thomas Gibby*, Pemblewin, Llandewy-velfrey, Pembrokeshire, farmer: in the Gaol of Haverfordwest.—*Robert Haffenden*, Wadhurst, Sussex, farmer: in the Gaol of Lewes.—*Thomas Maycock* the younger, Hampton-in-Arden, Warwickshire, railway police officer: in the Gaol of Coventry.—*Wm. Squires*, Brighton, Sussex, baker: in the Gaol of Lewes.—*Thos. Simpson*, Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Richard Thos. Yause*, Pocklington, Yorkshire, blacksmith: in the Gaol of York.—*Samuel Chadwick*, Westgate, Wakefield, Yorkshire, corn factor: in the Gaol of York.—*Robert Edward Oaks*, Leeds, Yorkshire, joiner: in the Gaol of York.—*Roger Walker*, Carlton, Coverdale, Yorkshire, butter factor: in the Gaol of York.—*Wm. Wraith*, Wakefield, Yorkshire, station master: in the Gaol of York.—*Michael Wallis*, Kingston-upon-Hull, butcher: in the Gaol of Kingston-upon-Hull.—*Sarah Allpass*, Gloucester, out of business: in the Gaol of Gloucester.—*Isaac Brown*, Briggate, Leeds, Yorkshire, poulterer in the Gaol of York.—*Wm. Esley*, Yeadon, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*John Smith*, Mabgate, Leeds, Yorkshire, shopkeeper: in the Gaol

of York.—*Thos. Renton*, Fossgate, York, labourer: in the Gaol of York.—*George Phillips*, Barlow, near Selby, Yorkshire, farmer: in the Gaol of York.—*Thomas Humphreys*, Liverpool, porter: in the Gaol of Lancaster.—*John Atkinson*, Low Felling, near Gateshead, Durham, merchant tailor: in the Gaol of Newcastle-upon-Tyne.—*Wm. Gray*, Wimbeldon, Isle of Ely, Cambridgeshire, farmer: in the Gaol of Cambridge.—*Henry Christopher Howes*, Great Yarmouth, Norfolk, plumber: in the Gaol of Norwich.—*Robert Alfred Sykes*, Doncaster, Yorkshire, wheelwright: in the Gaol of York.—*Samuel Benjamin Sherrington*, Great Yarmouth, Norfolk, attorney-at-law: in the Gaol of Norwich.—*Robert Wright*, Wigan, Lancashire, out of employment: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 18 at 11, before the CHIEF COMMISSIONER.

John Hatsell, Winchester-row, Marylebone, Middlesex, shopman to a cheesemonger.—*Henry Wood*, Douro-st., Old Ford, Bow, Middlesex, bolt maker.—*Francis Kesteven*, Arlington-cottage, St. John-st.-road, Clerkenwell, Middlesex, carpenter.—*Henry Walter Ratcliffe*, Canterbury-terrace, Bland-st., Surrey, wholesale stationer.—*James Thomas Ratcliffe*, St. George's-road, New Kent-road, Surrey, wholesale stationer.

March 19 at 10, before Mr. Commissioner LAW.

Lewis Worms, Brook-st., Holborn, Middlesex, auctioneer.—*George Hayes*, Hyde-place, Hoxton Old-town, Middlesex, warehouseman to a wholesale haberdasher.

March 20 at 11, before Mr. Commissioner PHILLIPS.

Leopold Schwabacher, King-st., Soho, Middlesex, out of business.—*George Strickland*, Bury-st., St. James's, Middlesex, out of business.—*James Logee*, Great George-st., Bermondsey, and Mill-lane, Tooley-street, Southwark, Surrey, potato merchant.—*Edward Hodges*, Ranelagh-st., Pimlico, Middlesex, out of business.—*Morris Barnett*, Napier-street, Ashley-crescent, City-road, Middlesex, umbrella maker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at PETWORTH, March 21.

Henry Sadler, Easebourne, in no business.

At the County Court of Warwickshire, at COVENTRY, March 18.

George Boughey the younger, Nuneaton, in no business.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, March 20 at 10.

John Atkinson, Low Felling, near Gateshead, merchant.

At the County Court of Pembrokeshire, at HAVERFORDWEST, March 21 at 10.

Thomas Gibby, Pemblewin, Llandewy-velfrey, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Charles King, Holloway, Middlesex, attorney's clerk, any day before 11 in the morning, at Philp's, Lower King-street, Bloomsbury, Middlesex: 4s. 10d. in the pound.

FRIDAY, MARCH 7.

BANKRUPTS.

WILLIAM STORROR, Southampton, Hampshire, upholsterer, cabinet maker, dealer and chapman, March 15 at 2, and May 3 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Marten & Co., Commercial Sale-rooms, Mincing-lane.—Petition dated Feb. 26.

WILLIAM COUCH, John-street, Fitzroy-square, Middlesex, pianoforte maker, March 14 and April 25 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Adams, 16, George-street, Mansion-house.—Petition dated Feb. 24.

JOHN HORROCKS, Liverpool, coal, flag, and stone merchant, (also carrying on business at Seascombe, Wallasey, Cheshire, as a bread, flour, and provision dealer, dealer and chapman), March 20 and April 17 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Yates, Liverpool.—Petition filed Feb. 25.

THOMAS BIRCH, Broseley, Shropshire, coal master, dealer in malt, dealer and chapman, March 17 and April 14 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated Feb. 26.

ARNOLD FRANCIS WILLE and GEORGE HENRY WILSON, Kingston-upon-Hull, merchants and commission agents, March 26 and April 16 at half-past 12, District Court of Bankruptcy, Leeds: Off. Ass. Carrick; Sol. Sidebottom, Kingston-upon-Hull.—Petition dated Feb. 22.

WILLIAM WALKER, Saltmarsh-grange, Howden, and Eastington, Yorkshire, sacking manufacturer, dealer and chapman, (carrying on business with John Lazenby, at Eastington), April 2 and 23 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Porter, Howden; Wells & Co., Hull.—Petition dated March 3.

HUGH BUCHANAN M'MILLAN and ROBERT SERVICE WILSON, Preston and Acorington, Lancashire, drapers, March 18 and April 16 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Cobbett, Manchester.—Petition filed March 4.

MEETINGS.

Chas. Cotton Butterfield, Petersfield, Southampton, banker, March 21 at 1, Court of Bankruptcy, London, pr. d.—*Edw. Leigh*, Glossop, Derbyshire, cotton manufacturer, March 19 at 11, District Court of Bankruptcy, Manchester, last ex.—*Ann Royston*, Chorlton-upon-Medlock, Manchester, brewer, March 19 at 12, District Court of Bankruptcy, Manchester, last ex.—*David Douglas*, Chorlton-upon-Medlock, Manchester, draper, March 20 at 11, District Court of Bankruptcy, Manchester, last ex.—*Samuel Hamilton Watson and John Kingston*, Roobdale and Burnley, Lancashire, mercers, March 21 at 11, District Court of Bankruptcy, Manchester, last ex.—*James Young, Thomas Bracken, George Ballard, James Chas. Colebrooke Sutherland, and Nathaniel Alexander*, Calcutta, East Indies, merchants, March 21 at 1, Court of Bankruptcy, London, and. ac.; March 28 at half-past 1, div.—*Melchor Lopez*, Cratched-friars, London, wine merchant, March 21 at 12, Court of Bankruptcy, London, and. ac.; March 28 at 12, div.—*William Lawrence*, Ealing, Middlesex, grocer, March 21 at 1, Court of Bankruptcy, London, and. ac.—*John Fairweather Harrison*, New Broad-street, London, wine merchant, March 21 at half-past 12, Court of Bankruptcy, London, and. ac.; March 31 at 12, div.—*George Hobbs*, Newport, Isle of Wight, tailor, March 21 at half-past 11, Court of Bankruptcy, London, and. ac.; March 28 at half-past 11, div.—*William M'Leod*, Coleman-street-buildings, London, merchant, March 21 at 11, Court of Bankruptcy, London, and. ac.; March 28 at 11, div.—*James Hunt*, Horseferry-road, Westminster, Middlesex, builder, March 21 at half-past 11, Court of Bankruptcy, London, and. ac.; March 28 at half-past 11, div.—*John Burgoyne Pillin and Geo. Alfred Pillin*, Featherstone-buildings, Holborn, Middlesex, sword cutlers, March 26 at 12, Court of Bankruptcy, London, and. ac.; March 28 at 1, div.—*Ephraim Godbolt and George Godbolt*, College-place, King's-road, Chelsea, Middlesex, carpenters, March 28 at 11, Court of Bankruptcy, London, and. ac.—*William Heygate*, Watford, Northamptonshire, and Chardstock, Dorsetshire, brickmaker, March 22 at 1, Court of Bankruptcy, London, and. ac.—*John Voller*, Landport, Portsea, Southampton, builder, March 29 at 2, Court of Bankruptcy, London, and. ac.—*James Lemmon*, Norwich, printer, April 3 at 2, Court of Bankruptcy, London, and. ac.—*George Robert Galloway*, St. John-street, Middlesex, brush manufacturer, March 27 at 12, Court of Bankruptcy, London, and. ac.; April 5 at 12, div.—*John Palmer Burnell*, Moorgate-street and Coleman-street, London, china dealer, March 18 at 11, Court of Bankruptcy, London, and. ac.—*Edward Lord and William Archer*, Painswick, Gloucestershire, millers, March 28 at 11, District Court of Bankruptcy, Bristol, and. ac.—*Joel Beer*, Exeter, shoemaker, April 1 at 11, District Court of Bankruptcy, Exeter, and. ac.—*Robt. Gibson*, York, ironmonger, March 20 at 11, District Court of Bankruptcy, Leeds, and. ac. and div.—*Joseph Stevens* the younger, Coodbournbrook, Ambleside, Staffordshire, glass manufacturer, March 19 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Samuel Amos*, Hanley, Staffordshire, scrivener, March 24 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac.—*Richard Jacques*, Tottenham-court-road, Middlesex, tallowchandler,

March 31 at 12, Court of Bankruptcy, London, div.—*Wm. Lawrence*, Ealing, grocer, and Regent-street, Oxford-street, Middlesex, straw hat manufacturer, March 31 at half-past 12, Court of Bankruptcy, London, div.—*John Edwards*, Upper Stamford-st., Blackfriars, Surrey, corn merchant, March 28 at 12, Court of Bankruptcy, London, div.—*Matthew Rowlandson and Lancelot Rowlandson*, Whitechapel-road, Middlesex, drapers, March 28 at 12, Court of Bankruptcy, London, div.—*J. Arundell*, Titchfield, Southampton, common brewer, April 1 at 1, Court of Bankruptcy, London, div.—*Abraham Levy Bensussen and Joshua Brandon*, Walbrook-building, London, merchants, April 1 at 11, Court of Bankruptcy, London, div.—*Benjamin Billings*, Harlow, Essex, victualler, April 3 at 11, Court of Bankruptcy, London, div.—*William Beknes*, Osnaburgh-street, New-road, Middlesex, stone merchant, April 1 at 12, Court of Bankruptcy, London, div.—*James Cockburn*, New Broad-st., London, merchant, April 3 at 12, Court of Bankruptcy, London, div.—*Wm. H. Bond*, Bow-lane, Cheapside, London, ale merchant, April 1 at half-past 12, Court of Bankruptcy, London, div.—*Francis Clark* the younger, Bury St. Edmund's, Suffolk, innkeeper, April 3 at 1, Court of Bankruptcy, London, div.—*Charles Veah*, Uffculme, Devonshire, baker, April 1 at 11, District Court of Bankruptcy, Exeter, div.—*Wm. Perkins*, Uttoxeter, Staffordshire, timber merchant, March 31 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*William Simpson*, Sheffield, Yorkshire, wholesale spirit merchant, March 29 at 10, District Court of Bankruptcy, Sheffield, div.—*George Hutton*, Sheffield, Yorkshire, grocer, March 29 at 10, District Court of Bankruptcy, Sheffield, div.—*Thomas Broadbent*, Halifax, Yorkshire, draper, March 28 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Penfold, Marlborough-place, Old Kent-road, Surrey, wholesale grocer, April 1 at 11, Court of Bankruptcy, London.—*George Aug. Davis*, Skinner-street, London, distiller, April 1 at 1, Court of Bankruptcy, London.—*William G. Shipley*, Market-row, Oxford-market, St. Marylebone, Middlesex, corn dealer, April 1 at 11, Court of Bankruptcy, London.—*Jas. Bickerton* the younger, Bread-st., Cheapside, London, hat manufacturer, April 1 at 12, Court of Bankruptcy, London.—*John Voller*, Landport, Portsea, Southampton, builder, March 29 at 2, Court of Bankruptcy, London.—*Samuel Jeffries*, Eltham, Kent, maltster, March 28 at 1, Court of Bankruptcy, London.—*George Godbolt*, College-place, King's-road, Chelsea, Middlesex, carpenter, March 28 at 11, Court of Bankruptcy, London.—*W. Biss*, Barnsley, Yorkshire, ironfounder, April 1 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Abraham Provost, Peterborough, linendraper.—*Silvanus Vick*, Brecon, victualler.—*Henry Hamer*, Blackfriars-road, Surrey, linendraper.—*James Priestley*, Radcliffe, Lancashire, cotton spinner.—*James Jolley and William Jackson*, Wigan, Lancashire, acetic acid manufacturers.

FIAT ANNULLED.

Thos. P. Hennings, Wyndham-road, Camberwell, Surrey, dealer in wine.

PETITIONS ANNULLED.

Joseph Harper, Ponsonby-place, Vauxhall-bridge-road, Middlesex, coal merchant.—*Cli Tellow*, Leeds, Yorkshire, innkeeper.—*Dorinda Ann Burnett*.

SCOTCH SEQUESTRATIONS.

Alexander Young, Glasgow, victualler.—*Matthew Welsh*, Edinburgh, shawl manufacturer.—*Walter Rowan*, Glasgow, tobacconist.—*John M'Nab*, Port-Bannatyne, near Rothsay, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Sims, Weybread, Suffolk, attorney-at-law, March 18 at 9, County Court of Norfolk, at Harleston.—*Thomas Imray*, Carlisle, Cumberland, beer-house keeper, March 25 at 12, County Court of Cumberland, at Carlisle.—*James Potts*, Burslem, Staffordshire, plumber and glazier, March 20 at

10, County Court of Staffordshire, at Hanley.—*William Hillier*, Chate, Southampton, baker and grocer, March 21 at 11, County Court of Hampshire, at Andover.—*Saml. Dyer*, Exeter, carrier, April 12 at 10, County Court of Devonshire, at Exeter.—*Thos. Tomlinson*, New Alresford, Southampton, carpenter, March 20 at 10, County Court of Hampshire, at Winchester.—*Wm. Williams*, Colchester, Essex, hat maker, March 12 at 12, County Court of Essex, at Colchester.—*Jas. Russell*, West Mersea, Essex, shipowner, March 24 at 12, County Court of Essex, at Colchester.—*W. Spink*, Witham, Essex, veterinary surgeon, March 25 at 12, County Court of Essex, at Maldon.—*Wm. Cook*, Woodham Ferris, Essex, carpenter, March 25 at 12, County Court of Essex, at Maldon.—*Wm. Pickering*, Luddington, Old Stratford, Warwickshire, farmer, March 20 at 10, County Court of Warwickshire, at Stratford-upon-Avon.—*George O. Andrews*, Jarvis Hall, South Benfleet, Essex, farmer, March 26 at 11, County Court of Essex, at Rochford.—*C. C. Spilling*, Long Melford, Suffolk, saddler, March 29 at 11, County Court of Suffolk, at Sudbury.—*Joseph English*, York, hat manufacturer, March 24 at 10, County Court of Yorkshire, at York Castle.—*Rich. Jennings*, Birmingham, edge tool maker, March 12 at 11, County Court of Warwickshire, at Birmingham.—*Wm. West*, Aston, Warwickshire, butcher, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Wm. T. Davies*, Birmingham, carpenter, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Richard Blackwell*, Aston, Warwickshire, retail beer-seller, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Chas. P. Harris*, Birmingham, joiner, March 29 at 11, County Court of Warwickshire, at Birmingham.—*Thos. G. Jones*, Birmingham, grocer, March 29 at 11, County Court of Warwickshire, at Birmingham.—*J. Baylis*, Aston-juxta-Birmingham, gun implement maker, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Richard Lynes*, Aston, Warwickshire, wireworker, March 29 at 11, County Court of Warwickshire, at Birmingham.—*David Smith*, Aston-nigh-Birmingham, out of business, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Henry Kneaford*, Aston, Birmingham, wheelwright, March 15 at 11, County Court of Warwickshire, at Birmingham.—*Thos. Carter*, Burnley, Lancashire, fishmonger, March 27 at 10, County Court of Lancashire, at Burnley.—*George Moule*, Barkway, Hertfordshire, baker, March 25 at 12, County Court of Hertfordshire, at Royston.—*John Tuxford*, Lincoln, plumber, March 22 at 10, County Court of Lincolnshire, at Lincoln.—*Thos. Fogg*, Werneth, Cheshire, woollen draper, March 12 at 11, County Court of Cheshire, at Hyde.—*Anne Beecroft*, G. Beecroft, and J. Beecroft, Bradford, Yorkshire, out of business, March 25 at 11, County Court of Yorkshire, at Bradford.—*Henry Horatio Burgess*, King's Lynn, Norfolk, surgeon, March 18 at 6, County Court of Norfolk, at King's Lynn.—*Francis Loose*, King's Lynn, Norfolk, plumber, March 18 at 6, County Court of Norfolk, at King's Lynn.—*Robert West*, King's Lynn, Norfolk, horse dealer, March 18 at 6, County Court of Norfolk, at King's Lynn.—*Joseph Clark*, Appleby, Westmoreland, miller, March 20 at half-past 9, County Court of Westmoreland, at Appleby.—*Wm. Rowland*, Holt, Denbighshire, farmer, March 18 at 10, County Court of Denbighshire, at Wrexham.—*John Holland*, Stradbroke, Suffolk, plumber, March 17 at 2, County Court of Suffolk, at Eye.—*Isaac Jackson* the elder, Walton, Suffolk, carpenter, March 20 at 1, County Court of Suffolk, at Woodbridge.—*Wm. Bowers*, Lakenheath, Suffolk, waterman, March 25 at 10, County Court of Suffolk, at Mildenhall.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 21 at 11, before the CHIEF COMMISSIONER.

John Chas. Mence, Guildford-st., Clerkenwell, Middlesex, shoemaker.

March 21 at 10, before Mr. Commissioner LAW.

Charles Gibson the elder, Meadow-row, New Kent-road, Surrey, shoemaker.—*George Byles*, Wirttemberg-place, Clapham, Surrey, fly master.

March 22 at 11, before Mr. Commissioner PHILLIPS.

W. H. Garry, Charles-street, Hoxton, Middlesex, attorney-at-law.—*Wm. H. Sharp*, Lower Thames-street, London, out of business.—*James Henry Barker*, Church-street, Croydon, Surrey, schoolmaster.

March 24 at 10, before Mr. Commissioner LAW.

Charles Russell, South Crescent-mews, Burton-crescent, New-road, Middlesex, bricklayer.

March 24 at 11, before Mr. Commissioner PHILLIPS.

John Keir, New Charlton, near Woolwich, Kent, tailor.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 21 at 11, before the CHIEF COMMISSIONER.

Sarah Debarre, Adelaide-road, Haverstock-hill, Hampstead, Middlesex, boarding-school keeper.—*Robert Benjamin Greenwood*, Holt-place, New North-road, Middlesex, pork butcher.—*John Alex. Green*, Wardrobe-terrace, Doctors'-commons, London, out of business.—*Henry Phillips*, Essex-place, Canonbury-square, Islington, Middlesex, commission agent for the sale of iron.

March 21 at 10, before Mr. Commissioner LAW.

George Hedley, Weston-green, Thames Ditton, Surrey, assistant to a wholesale hoier.

March 22 at 11, before Mr. Commissioner PHILLIPS.

Thomas Caterick Parkins, High-st., Whitechapel, Middlesex, assistant to a clothier.—*Alfred Beeson*, Greenhithe, Kent, out of business.—*Richard Thomas Rye*, Paradise-st., Rotherhithe, and Swin Step-alley, Surrey, carpenter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, March 25.

Robert Haffenden, Wadhurst, out of business.—*William Squires*, Brighton, out of business.

At the County Court of Northumberland, at MORPETH, March 28 at half-past 10.

Wm. Thompson, North Sunderland, joiner.

At the County Court of Cumberland, at CARLISLE, March 25 at 12.

Jane Forester, Stannix, servant.

At the County Court of Lincolnshire, at LINCOLN, March 23.

Thomas Ranson, Scirevelby, near Horncastle, farmer.

April 7, at the same place.

Abraham Pope, Pinchbeck Barre, near Spalding, carpenter.

At the County Court of Devonshire, at EXETER, April 5 at 10.

Wm. Bagg, Topsham, labourer.

At the County Court of Yorkshire, at YORK CASTLE, March 24 at 10.

Charles Marsh, Yarm, near Stokesley, out of business.—*Thos. Fosall*, Elland, near Halifax, gas engineer.—*J. Smith*, Mahgate, Leeds, shopkeeper.—*James Walker*, Batley, near Dewsbury, out of business.—*Samuel Clay*, Wortley, near Leeds, out of business.—*Thos. Simpson*, Leeds, out of business.—*Samuel Chadwick*, Westgate, Wakefield, out of business.—*W. Wraith*, Wakefield and Heath, station master.—*Wm. Esley*, Yeadon, near Leeds, cloth manufacturer.—*Isaac Brown*, York, labourer.—*Thomas Renton*, York, and New Wortley, near Leeds, labourer.—*George Phillips*, Barlow, near Selby, farmer.—*Richard Thomas Vause*, Pocklington, blacksmith.—*Wm. Jordison*, Upsall, near Thirsk, out of business.—*Roger Walker*, Carlton-in-Coverdale, out of business.—*W. Yeoman* the younger, Bielby, near Pocklington, out of business.—*Joseph Wormald*, York, out of business.—*Robert A. Sykes*, Doncaster, wheelwright.—*Robert Edward Oaks*, Leeds, out of business.—*Charles Augustus Fitzroy*, Leeds, out of business.—*John Hardwick*, Barugh-Ambo, near Malton.—*The Rev. George Atkinson Walker*, Alverthorpe-with-Thornes, near Wakefield, clerk in holy orders.—*J. Whittein* the younger, Pudsey, near Leeds, wool comber.

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MARCH 15, 1851.

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LONDON, MARCH 15, 1851.

THERE are two cases recently decided which shew the circumstances under which an unstamped receipt may or may not be received as evidence. The first is a case of *Matheson v. Ross*, decided in the House of Lords, (reported in 13 Jur., part 1, p. 307). In that case, which was an appeal from the Court of Session in Scotland, the question arose in an action for a balance of account between a person named Ross and railway contractors, in respect of work done by Ross for the railway contractors. At the trial, Ross produced a note of the payments admitted to have been received by him, and admitted payment of a sum of 68*l.* 9*s.* 4*d.* stated in the note of payments to have been received by him. The defenders rebutted his claim by production of a receipt signed by him, acknowledging the payment of the 68*l.* 9*s.* 4*d.* No question was raised as to the payment of the said sum of 68*l.* 9*s.* 4*d.*: it was admitted that it had been paid. The only question was, whether between the parties an account had been delivered and admitted to be correct. The receipt was in the following words:—

"I acknowledge having received from R. Matheson 68*l.* 9*s.* 4*d.*, being balance of amount of pay bills paid from the 7th August to the 11th December, both inclusive.

(Signed) "ALEX. ROSS."

This receipt was not stamped: it was not tendered in evidence to prove the payment of the 68*l.* 9*s.* 4*d.*, because the payment of that sum was not in dispute, but it was tendered merely to prove that the correctness of the account had been acknowledged. The Court of Session rejected the receipt as evidence. On an appeal to the House of Lords, the decision of the Court of Session was reversed, and the receipt was admitted as evidence, and upon this ground. It was said, that if the question

of the payment of the money had been in dispute, then, as the receipt would have been admissible as, and good evidence of the payment of the money if properly stamped, it could not be admitted, not being properly stamped, for the collateral purpose of proving that the preceding account had been settled. But inasmuch as there was no dispute about the payment of the 68*l.* 9*s.* 4*d.*, the receipt was not properly admissible evidence for the purpose of proving the payment, and therefore it might be admitted to prove the settled account; because, in so admitting it, it was not treated as being useable but not used, for one purpose, and used only for a collateral purpose, but was absolutely useless for one purpose, viz. proof of payment of the money, and was only used for the purpose of proving the settled account.

This distinction is made more clear in the case of *Evans v. Prothero*, (15 Jur., part 1, p. 113). In that case, two issues were directed out of the Court of Chancery, to ascertain, first, whether a certain person had agreed to sell certain premises to another; and, secondly, whether the purchase money had been paid. At the trial, a receipt, improperly stamped, from the vendor, for "the sum of 21*l.*, being the amount of the purchase for three tenements sold by me adjoining the river Taff," was allowed to be received in evidence, and the jury thereupon found for the plaintiff on both issues; that is to say, found that the vendor had agreed to sell the three tenements, and that the purchase money had been paid. On a motion for a new trial on both issues, Vice-Chancellor Wigram thought that the receipt had been properly received as evidence upon the trial of the first issue, and refused a new trial upon that issue. On an appeal to the Lord Chancellor, Lordship Field, that, upon the question in the first issue, whether the vendor had agreed to sell, proof of the receipt of the purchase money was one of the means by which the

fact of the agreement might be proved; therefore, that the fact of payment was of the utmost importance, and was in issue, or, in other words, was in dispute; therefore, that the receipt was admissible in evidence for the purpose of proving a material fact in dispute, and not being upon a proper stamp, could not be received in evidence.

These two decisions are not in the slightest degree in conflict; they proceed on a clear principle, viz. that where a document might be used for the purpose of proving a material fact properly put in issue, if such document were duly stamped, but such document not being duly stamped cannot be so used, it cannot be used for the purpose of proving some collateral fact; but if the fact which it would be primarily capable of proving is not material, or is not put in issue, so that, substantially and in effect, it cannot be used for the purpose of proving such fact, then it may be used for the purpose of proving some collateral fact which is put in issue.

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Dep., Henry Hammond, 16, Furnival's-inn.

Surry—J. Sparkes, Esq., Gosden House, Shalford.

Undersh., W. Haydon Smallpiece, Esq., Guildford.

Depts., Abbott, Jenkins, & Abbott, 8, New-inn.

Sussex—David Lyon, Esq., Goring.

Undersh., W. H. Palmer, Esq., 24, Bedford-row.

Depts., Palmer, France, & Palmer, 24, Bedford-row.

Warwickshire—Mark Phillips, Esq., Snitterfield.

Undersh., Thomas Heath, Esq., Warwick.

Depts., Taylor & Collison, 28, Great James-street, Bedford-row.

Westmoreland—Edward Wilson, Esq., Rigmaden.

Undersh., John Heelis, Esq., Appleby.

Dep., George Mounsey Gray, 9, Staple-inn.

Wiltshire—Graham Moore Michell Eameade, Esq., Monkton House.

Undersh., West Awdry, Esq., Chippenham.

Dep., W. Lewis, 6, Raymond-buildings, Gray's-inn.

Worcestershire—Sir Thomas Edward Winnington, Bart., Stanford Court.

Undersh., { John Bury, Esq., Bowdley.

Gillam & Sons, Worcester. A. U.

Dep., John Henry Benbow, 1, Stone-buildings, Lincoln's-inn.

Worcester—Thomas Lucy, Esq., Worcester.

Undersh., Edward Corles, Esq., Worcester.

Dep., George Becke, 44, Bedford-row.

Yorkshire—The Hon. Payan Dawney, Benningbrough Hall.

Undersh., James Russell, Esq., York.

Depts., Cardale, Iliffe, & Russell, 2, Bedford-row.

York—Edward Day, Esq., York.

Undersh., John Prescod Wood, Esq., York.

Dep., Richard Wood, 89, Chancery-lane.

NORTH WALES.

Anglesey—Thomas Owen, Esq., Tydden Glan-y-mor.

Undersh., Thomas Owen, Esq., Llangefni.

Depts., Abbott, Jenkins, & Abbott, 8, New-inn.

Carnarvonshire—John Williams, Esq., Hafodyddlan.

Undersh., David Williams, Esq., Portmadoc.

Depts., Williams, M'Leod, & Cann, Paper-buildings, Temple.

Denbighshire—Thos. Hughes, Esq., Ystrad Hall, Denbigh.

Undersh., Price Morris, Esq., Denbigh.

Depts., Edwards & Peake, 11, New Palace-yard, Westminster.

Flintshire—Wilson Jones, Esq., Hartaheath Park, Mold.

Undersh., Arthur Troughton Roberts, Esq., Mold.

Depts., Milne, Parry, Milne, & Morris, Harcourt-buildings, Temple.

Merionethshire—Henry Richardson, Esq., Aberllynant.

Undersh., Thomas Lloyd Boyle, Esq., Bala.

Depts., Jones, Blaxland, & Jones, 7, Crosby-square.

Montgomeryshire—Charles Jones, Esq., Garthmill.

Undersh., Alfred Meredith, Esq., Welchpool.

Depts., Gregory, Faulkner, Gregory, & Skirrow, 1, Bedford-row.

SOUTH WALES.

Breconshire—Robert Raikes, Esq., Treherfedd.

Undersh., David Thomas & Banks, Brecon.

Dep., Henry Hammond, 16, Furnival's-inn.

Cardiganshire—E. A. Vaughan, Earl of Lisburne, Crosswood.

Undersh., Willoughby Miller, Esq., Aberystwith.

Depts., Tatham & Proctor, 10, New-sq., Lincoln's-ian.

Carmarthen—John Thomas, Esq., Carmarthen.

Undersh., Wm. Thomas Thomas, Esq., Carmarthen.

Depts., Chilton, Burton, & Johnson, 7, Chancery-lane.

Carmarthenshire—Timothy Powell, Esq., Penycod.

Undersh., Chas. Henry Hughes, Esq., Carmarthen.

Depts., Chilton, Burton, & Johnson, 7, Chancery-lane.

Glamorganshire—Gervas Powell Turbervill, Esq., Eweany Abbey, Bridgend.

Undersh., William Lewis, Esq., Bridgend.

Dep., Isaac Wrentmore, 50, Lincoln's-inn-fields.

Haverfordwest—Charles Prust, Esq., Haverfordwest.

Undersh., Jonathan R. Powell, Esq., Haverfordwest.

Depts., Trinder & Eyre, 1, John-st., Bedford-row.

Pembrokeshire—John Harcourt Powell, Esq., Hook.

Undersh., Jonathan R. Powell, Esq., Haverfordwest.

Depts., Trinder & Eyre, 1, John-st., Bedford-row.

Radnorshire—Francis Aspinall Phillips, Esq., Abbeycwmhir.

Undersh., Richard Green, Esq., Knighton.

Depts., Richardson & Talbot, 47, Bedford-row.

* * Warrants are granted in London for Breconshire, Cardiganshire, Flintshire, Merionethshire, Radnorshire, and all places except Bristol, Canterbury, Cinque Ports, Chester, Derbyshire, Durham, Exeter, Gloucestershire, Gloucester (City), Herefordshire, Kingston-upon-Hull, Lancashire, Lichfield (City), Monmouthshire, Nottinghamshire, Pembrokeshire, Southampton (Town of), Worcester (City), York (City), and the Welsh Counties not before named. Office hours, in Term, from 11 till 4; and in Vacation, from 11 till 3.

London Gazette.

TUESDAY, MARCH 11.

BANKRUPTS.

JOHN BARNARD WARCUP, Broadway, Deptford, Kent, ironmonger, March 20 at 1, and April 24 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Taylor, 2, Adelaide-place, London-bridge.—Petition filed March 11.

CHARLES DRIFFIELD, Beverley, Yorkshire, draper, dealer and chapman, March 21 at 1, and April 28 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed Feb. 24.

WILLIAM BUCKLE, Pall-mall, Westminster, Middlesex, and Leadenhall-street, London, master mariner and ship owner, March 28 at 11, and April 29 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Towne, 9, Devonshire-square, Bishopsgate.—Petition filed Feb. 14.

GEORGE PARKER, Coventry, Warwickshire, carpenter, builder, farmer, dealer and chapman, March 31 and April 26 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Browett, Coventry.—Petition dated March 7.

HENRY BLAKESLEY, Castle Bromwich, Warwickshire, brick and tile dealer, commission agent, dealer and chapman, March 27 and April 29 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Harrison, Birmingham.—Petition dated Feb. 25.

EDWARD SMITH, Worcester, hop and seed merchant, dealer and chapman, March 26 and April 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Reece, Birmingham.—Petition dated March 4.

STEPHEN THOMAS WALKER, Barrowby-lodge, near Grantham, Lincolnshire, horse dealer, dealer and chapman, March 21 and April 25 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Swan, 12, Gray's-inn-place, Gray's-inn, London.—Petition dated Feb. 28.

MANUEL JONES, Wrexham, Denbighshire, cheese factor, March 24 and April 14 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Evans, Liverpool.—Petition filed March 6.

ROBERT WADE, Plymouth, Devonshire, grocer and tea dealer, dealer and chapman, March 17 at 2, and April 24 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Edmonds & Sons, Plymouth; Stogdon, Exeter.—Petition filed March 7.

THOMAS KINTON, East Stonehouse, Devonshire, furniture broker, dealer and chapman, March 17 at 2, and April 24 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Little & Billing, Devonport; Stogdon, Exeter; Sole & Turner, 68, Aldermanbury, London.—Petition filed March 4.

MEETINGS.

Chas. Geo. Jones, Oxford-street, Middlesex, licensed victualler, March 21 at 2, Court of Bankruptcy, London, and ac.—*Jas. M. Cansdale*, Norwich, draper, March 21 at 11, Court of Bankruptcy, London, aud. ac.—*Eliz. M'Knott* and *James Glass*, Ordnance-wharf, Belvedere-road, Lambeth, and Blackfriars-road, Surrey, coal merchants, March 19 at 12, Court of Bankruptcy, London, aud. ac.; April 3 at 1, div.—*George Hutton*, Sheffield, Yorkshire, grocer, March 22 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*William Sampson*, Sheffield, Yorkshire, wholesale spirit merchant, March 22 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*John Murray*, Gracechurch-st., London, Manchester warehouseman, April 1 at 12, Court of Bankruptcy, London, div.—*John Nis Harlow*, Ramsgate, Kent, wine merchant, April 3 at half-past 2, Court of Bankruptcy, London, div.—*John Saunders*, *James Fanner*, and *Thos. Horner Saunders*, Basinghall-street, London, and Bradford, Wiltshire, woollen manufacturers, April 1 at 1, Court of Bankruptcy, London, div. sep. est. of *John Saunders*.—*Thomas Nokes* the elder, Upminster and Stifford, Essex, miller, April 3 at 11, Court of Bankruptcy, London, div.—*Edward May*, Oxford-street, Middlesex, ironmonger, April 1 at 12, Court of Bankruptcy, London, div.—*James Peachey*, Middleborough, Colchester, Essex, coachmaker, April 3 at 12, Court of Bankruptcy, London, div.—*John Rhodes Pidding*, George-yard, Lombard-st.,

London, and Bollard-lane, Finchley, Middlesex, merchant, April 3 at 12, Court of Bankruptcy, London, div.—*Wm. Miller* and *Alex. Miller*, Liverpool and Bootle, Lancashire, wine merchants, April 3 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *Wm. Miller*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Ralph Hills, Downham, Isle of Ely, Cambridgeshire, grocer, April 1 at 1, Court of Bankruptcy, London.—*Solomon Beyfus*, Houndditch, London, importer of French goods, April 2 at 2, Court of Bankruptcy, London.—*John Nis Harlow*, Ramsgate, Kent, wine merchant, April 3 at half-past 2, Court of Bankruptcy, London.—*Robert Norris Jones*, Liverpool, merchant, April 4 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Randall*, Manchester, calico printer, April 4 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Wm. Beley, Horsepath, Oxfordshire, butcher.—*Wm. John Sage*, Great Portland-st., Middlesex, chemist.—*Chas. Robinson*, Liverpool, sailmaker.—*John Moore*, Nottingham, cabinet maker.

SCOTCH SEQUESTRATIONS.

John Millar, deceased, Ballumbie, Forfarshire, banker.—*John Brown*, Kilwinning, Ayrshire, ironmonger.—*James Sutherland*, Logie Mill, Edinburgh, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Henry Springett, Ivy Church, Kent, publican, March 22 at 11, County Court of Kent, at New Romney.—*Jas. Beattie*, Reading, Berkshire, draper, April 1 at 11, County Court of Berkshire, at Reading.—*John Shaw*, Manchester, provision dealer, March 21 at 1, County Court of Lancashire, at Manchester.—*John Read* the elder, Low Woods, Sproxtton, Helmsley, Yorkshire, farmer, March 26 at 11, County Court of Yorkshire, at Helmsley.—*John Read* the younger, Low Woods, Sproxtton, Helmsley, Yorkshire, farmer's son, March 26 at 11, County Court of Yorkshire, at Helmsley.—*Samuel Steele*, Tunstall, Staffordshire, boatman, March 20 at 10, County Court of Staffordshire, at Hanley.—*Chas. Dowding*, Houghton Drayton, near Stockbridge, Southampton, shoemaker, March 28 at 11, County Court of Hampshire, at Romsey.—*Hannah Harris*, Bidford, Warwickshire, licensed dealer in tea, March 21 at 10, County Court of Warwickshire, at Alcester.—*Arthur Newnham*, Alton Eastbrook, Alton, Hampshire, surgeon, March 25 at 11, County Court of Hampshire, at Alton.—*Felix Padman Hubbard*, Studley, Warwickshire, grocer, March 21 at 10, County Court of Warwickshire, at Alcester.—*Henry Rivers*, Reading, Berkshire, plumber, April 1 at 11, County Court of Berkshire, at Reading.—*John Haisman* the younger, Rochester, Kent, butcher, April 3 at 10, County Court of Kent, at Rochester.—*Sarah Bowes*, York, lodging-house keeper, March 24 at 10, County Court of Yorkshire, at York Castle.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 26 at 11, before the CHIEF COMMISSIONER.

John Brittan, Oakley-crescent, City-road, Middlesex, agent for advertisements.—*Edward Terrell Keys*, Pierpont-place, Islington, Middlesex, out of business.—*James Omer*, Kirby-street, Hatton-garden, Middlesex, glass cutter.

March 26 at 10, before Mr. Commissioner LAW.

George Best, Queen's-road East, Pimlico, Middlesex, green-grocer.—*William Green*, Acton-place, Bagnigge-wells-road, cheesemonger.

Saturday, March 8.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Richard Rochford, George-street, Hammersmith, Middle-

sex, bird catcher, No. 61,199 T.; Joseph English, assignee.—*Mary Ann Tattersall*, spinster, Brentford-lane, Acton, Middlesex, No. 61,568 T.; William Osborn May, assignee.—*Charlotte Montague Tattersall*, widow, Brentford-lane, Acton, Middlesex, No. 61,569 T.; William Osborn May, assignee.—*Henry Collins Manders*, Ambleside, Westmorland, gentleman, No. 72,154 C.; Joseph Salkeld, assignee.—*James Tagg*, Fore-bridge-castle, Church, Staffordshire, baker, No. 73,225 C.; William Buxton and George Mare, assignees.—*John Ripley*, Leeds, Yorkshire, tailor, No. 73,349 C.; George Chambers, assignee.

Saturday, March 8.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Walter Firth, Jewin-street, Aldersgate-street, London, clerk to an attorney: in the Debtors Prison for London and Middlesex.—*James Parsons*, Marsham-street, Westminster, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Charles Simmons*, Thame, Oxfordshire, barman: in the Queen's Prison.—*Joseph Bennett*, Woolwich, Kent, tobaccoist: in the Queen's Prison.—*Daniel Gibson*, Hill-street, Brompton, Middlesex, out of business: in the Queen's Prison.—*Thomas Clements*, Chiswell-street, Finsbury, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.—*James Pickford*, Upper Whitecross-street, St. Luke's, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Charles Christian Schleiermacher*, Lake's-cottage, Downham-road, Middlesex, commission agent for the sale of wool: in the Debtors Prison for London and Middlesex.—*William Thomas*, Ivy-cottage, Morning-lane, Church-street, Hackney, Middlesex, omnibus driver: in the Debtors Prison for London and Middlesex.—*William Hunt*, Portland-street, Walworth, Surrey, in no business: in the Gaol of Horsemonger-lane.—*William Hutchings*, John-street, East-lane, Walworth, Surrey, butcher: in the Gaol of Horsemonger-lane.—*John Hobbs*, Wotton-place, New-town, Deptford, Kent, baker: in the Queen's Prison.—*Felix Richard Stephens*, Museum-street, Bloomsbury, Middlesex, discount agent: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Catherine Helena Lucas, widow, Gloucester-place, Portman-square, Middlesex: in the Queen's Prison.

(On their own Petitions).

Richard Randall, East Prawle, Chivelstone, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*John Whittam* the younger, Pudsey, near Leeds, Yorkshire, wool-comber: in the Gaol of York.—*Joseph Long*, Berkeley-heath, near Berkeley, Gloucestershire, farmer: in the Gaol of Gloucester.—*George Manning*, Corse Lawn, Eldersfield, Worcestershire, farmer: in the Gaol of Gloucester.—*W. Vaughan* the younger, Almely, Herefordshire, shoemaker: in the Gaol of Hereford.—*Joseph Colling*, Bishopwearmouth, Durham, auctioneer: in the Gaol of Durham.—*John Forshaw*, Bolton-le-Moors, Lancashire, beerseller: in the Gaol of Lancaster.—*James Hacking*, Brookhouse, Blackburn, Lancashire, coal dealer: in the Gaol of Lancaster.—*John Rich Morris*, Wolverhampton, Staffordshire, butcher: in the Gaol of Stafford.—*Edwin Cooke*, Hereford, woolstapler: in the Gaol of Hereford.—*Wm. Cooke*, Hereford, woolstapler: in the Gaol of Hereford.—*Wm. Jenkins*, Preston, Lancashire, shoemaker: in the Gaol of Lancaster.—*Thomas Spicer*, Barking, Essex, blacksmith: in the Gaol of Springfield.—*John Simms*, Manchester, grocer: in the Gaol of Lancaster.—*Enos Roberts*, Greenheys, Manchester, joiner: in the Gaol of Lancaster.—*Henry B. Leech*, Manchester, silk manufacturer: in the Gaol of Lancaster.—*Mark Melville*, Liverpool, master of a steamboat: in the Gaol of Lancaster.—*Edward Abbott*, Hyson-green, Nottinghamshire, miller: in the Gaol of Nottingham.—*Peter M'Intyre*, Manchester, traveller to a spirit merchant: in the Gaol of Lancaster.—*John E. Cookson*, Long Millgate, Manchester, silk manufacturer: in the Gaol of Lancaster.—*Thomas Bennett*, Strangeways, Manchester, surgeon: in the Gaol of Lancaster.—*Charles B. F. Stevenson*, Babbicombe, Devonshire, surgeon's assistant: in the Gaol of St. Thomas the Apostle.—*Wm. Hadfield*, Leamington Priors, Warwickshire, watchmaker: in the Gaol of Warwick.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 25 at 11, before the CHIEF COMMISSIONER.

Wm. Cooke, Harrow-road, Paddington, Middlesex, greengrocer.

March 26 at 10, before Mr. Commissioner LAW.

Richard Scoones, Union-row, Church-street, Edmonton, Middlesex, shoemaker.

March 27 at 11, before Mr. Commissioner PHILLIPS.

Thomas T. Saunders, David-st., Baker-st., Portman-sq., Middlesex, carver and gilder.—*Lewis Garrett*, Broad-court, Drury-lane, Middlesex, agent for the sale of ales on commission.—*Randall Litten*, Manor-st., Chelsea, Middlesex, not in any business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at the Shirehall, GLOUCESTER, March 27 at 10.

George Manning, Corse-lawn, Eldersfield, butcher.

At the County Court of Gloucestershire, at GLOUCESTER, March 27 at 10.

Sarah Allpass, Gloucester, out of business.—*Joseph Long*, Berkeley-heath, near Berkeley, farmer.

At the County Court of Devonshire, at EXETER, April 5 at 10.

Richard Randall, East Prawle, Chivelstone, out of business.

FRIDAY, MARCH 14.

BANKRUPTS.

CHARLES GRAHAM, New Oxford-street, Middlesex, hosier, dealer and chapman, March 21 at 12, and April 25 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Semple, 21, Duke-street, Manchester-square.—Petition dated March 10.

WILLIAM LOCKYER, Old-street, St. Luke's, and King-street, St. Giles-in-the-fields, Middlesex, baker, March 20 at 11, and April 24 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Hilleary, Fenchurch-street.—Petition filed March 12.

JESSE WILKINSON, Lindley, Huddersfield, Yorkshire, woollen cloth manufacturer, dealer and chapman, March 28 and May 2 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Hesp, Huddersfield; Bond & Barwick, Leeds.—Petition dated and filed March 1.

MEETINGS.

George Kyrke, Bryn Malley, Wrexham, Denbighshire, limeburner, March 25 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*George Lea*, Upper Belgrave-place, Pimlico, Middlesex, and Belgrave-cottage, Nunhead-lane, Peckham-rye, Surrey, coal merchant, March 28 at 11, Court of Bankruptcy, London, last ex.—*Alfred Moore*, South-wharf, and South-wharf-road, Paddington, Middlesex, stone merchant and pavior, March 28 at 12, Court of Bankruptcy, London, last ex.—*John Dawson*, Northfleet, Kent, and Mitre-court-chambers, Temple, and Clement's-lane, Lombard-street, London, shipowner, March 28 at 2, Court of Bankruptcy, London, last ex.—*Charles Brady*, Rood-lane, Fenchurch-street, London, merchant, March 31 at half-past 11, Court of Bankruptcy, London, aud. ac.—*F. F. Vouillon*, Princes-street, Hanover-square, Middlesex, court milliner, April 4 at 1, Court of Bankruptcy, London, aud. ac.; April 5 at 12, div.—*Daniel Radford* and *Gad Southall*, Gracechurch-street, London, coal merchants, March 31 at 11, Court of Bankruptcy, London, aud. ac.—*John Beeby*, Laton and Dunstable, Bedfordshire, salt merchant, March 27 at 11, Court of Bankruptcy, London, aud. ac.—*William Cave Cranwell*, Ely, Isle of Ely, Cambridgeshire, potato merchant, March 27 at 12, Court of Bankruptcy, London, aud. ac.—*James Morgan*, Liverpool, hotel keeper, March 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 7 at 11, div.—*Fred. Duncan*, Liverpool, merchant, March 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Kyrke*, Glascoed,

Dunbighshire, limeburner, March 24 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*William Taylor*, Newcastle-upon-Tyne, auctioneer, April 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*William Thompson*, Newcastle-upon-Tyne, grocer, April 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; April 11 at 12, div.—*William Harrison*, Tynemouth, Northumberland, merchant, April 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Thomas Cox*, Manchester, wine merchant, March 25 at 12, District Court of Bankruptcy, Manchester, and. ac.; April 8 at 12, fin. div.—*James Taylor*, Longacres, Rochdale, Lancashire, cotton spinner, April 7 at 12, District Court of Bankruptcy, Manchester, and. ac.; April 14 at 12, div.—*William Lupton Lowe*, Salford, Lancashire, victualler, April 9 at 11, District Court of Bankruptcy, Manchester, and. ac.; April 16 at 11, div.—*George Thomas Rollason*, Birmingham, china dealer, March 26 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*John Lightfoot Bradley* the younger, Birmingham, tailor, March 27 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Joseph Worsey* and *James Biggs*, Aston, near Birmingham, wire manufacturers, March 26 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Benjamin Crossland*, Fenny-bridge, near Huddersfield, Yorkshire, hosiery knitter, March 28 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Thomas Broadbent*, Halifax, Yorkshire, draper, March 27 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Joseph Graham*, Waterloo-place, St. James's, Middlesex, upholster, April 4 at half-past 12, Court of Bankruptcy, London, div.—*C. A. Harris*, Bushey, Hertfordshire, and Great Grimsby, Lincolnshire, flax spinner, April 4 at 1, Court of Bankruptcy, London, div.—*John Webb*, Luton, Bedfordshire, straw plait dealer, April 4 at 1, Court of Bankruptcy, London, div.—*D. Slater*, Preston, near Uppingham, Rutlandshire, cabinet maker, April 4 at 12, Court of Bankruptcy, London, div.—*Robert Wright*, Coppice-row, Clerkenwell, Middlesex, timber merchant, April 4 at 1, Court of Bankruptcy, London, div.—*James Steere*, Guildford, Surrey, watchmaker, April 4 at 12, Court of Bankruptcy, London, div.—*John Wright*, Hordingsstone, Northamptonshire, coal merchant, April 4 at 12, Court of Bankruptcy, London, div.—*C. Scawfe*, Hall-street, City-road, Middlesex, timber merchant, April 4 at 11, Court of Bankruptcy, London, div.—*Samuel Taylor*, Staines, Middlesex, grocer, April 4 at half-past 11, Court of Bankruptcy, London, div.—*M. P. Edwards*, Tredgar, Monmouthshire, linendraper, April 5 at 1, Court of Bankruptcy, London, div.—*George Spearman*, Leeds, Yorkshire, silk mercer, April 5 at half-past 11, Court of Bankruptcy, London, div.—*Henry Hesser*, Blackfriars-road, Surrey, linendraper, April 5 at 11, Court of Bankruptcy, London, div.—*Abraham Prosser*, Peterborough, linendraper, April 10 at 1, Court of Bankruptcy, London, div.—*P. R. Morrison*, Liverpool, merchant, April 10 at 2, Court of Bankruptcy, London, div.—*William Kealey*, Horsepath, Oxfordshire, butcher, April 5 at half-past 12, Court of Bankruptcy, London, div.—*W. Kuper*, Patent Wire-ropes Works, Grand Surrey Canal, Camberwell, Surrey, wire-rope maker, April 8 at 11, Court of Bankruptcy, London, div.—*John G. Briggs*, Leicester, innkeeper, April 11 at 10, District Court of Bankruptcy, Nottingham, and. ac. and div.—*John Hayward*, Hissland, Oswestry, Shropshire, scrivener, April 7 at half-past 10, District Court of Bankruptcy, Birmingham, and. ac. and div.—*Wm. Lees*, Liverpool, merchant, April 4 at 11, District Court of Bankruptcy, Liverpool, div.—*Wm. Latrd*, Birkenhead, Cheshire, merchant, April 7 at 11, District Court of Bankruptcy, Liverpool, div.—*Benj. J. Mansder*, Mark, Somersetshire, draper, April 5 at 11, District Court of Bankruptcy, Bristol, fin. div.—*John F. Brett*, Gateshead, Durham, tailor, April 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Wm. Shaw* the younger, Salford, Lancashire, printer, April 8 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

P. F. Vomillon, Princes-street, Hanover-square, Middlesex, court milliner, April 4 at 1, Court of Bankruptcy, London.—*Richard Green* the younger, Brighton, Sussex, ironmonger, April 3 at 12, Court of Bankruptcy, London.—*A. Honeyman*, Creek-road, Deptford, Kent, builder, April 4 at half-past 1, Court of Bankruptcy, London.—*G. Burton*, Whitechapel-road,

Middlesex, linendraper, April 3 at 11, Court of Bankruptcy, London.—*W. Taylor*, Newcastle-upon-Tyne, auctioneer, April 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Wm. Harrison*, Tynemouth, Northumberland, merchant, April 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Wm. Thompson*, Newcastle-upon-Tyne, grocer, April 11 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James Skirt*, Frodham, Cheshire, grocer, April 7 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Gerard Ralston, Fair Field Works, Bow, Middlesex, railway carriage builder.—*Wm. Ford*, High Holborn, Middlesex, haberdasher.—*Edw. Brewster*, Hand-court, Upper Thames-street, London, printer.—*Robert Miles*, Pontypriad, Glamorganshire, grocer.

SCOTCH SEQUESTRATIONS.

Robert Clarkson, Leith, china merchant.—*Taylor & Co.*, Cambusbarren, near Stirling, shawl manufacturers.—*Samuel Smith*, Crosshill, Renfrewshire, bricklayer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Rich. Wilson, Sneinton, Nottinghamshire, out of business, April 11 at 9, County Court of Nottinghamshire, at Nottingham.—*Wm. Brown*, Bingham, Nottinghamshire, blacksmith, April 12 at 10, County Court of Nottinghamshire, at Bingham.—*Richard R. Whitworth*, Nottingham, plumber, April 11 at 9, County Court of Nottinghamshire, at Nottingham.—*James Cooper*, Nottingham, joiner, April 11 at 9, County Court of Nottinghamshire, at Nottingham.—*James Jilings*, Southwold, Suffolk, fishmonger, March 19 at 2, County Court of Suffolk, at Halesworth.—*William Wyborn*, Ramsgate, Kent, shoemaker, March 19 at 10, County Court of Kent, at Ramsgate.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

March 28 at 11, before the CHIEF COMMISSIONER.

Henry Hawksbee, Charlotte-terrace, New-cut, Lambeth, Surrey, shopman to a butterman.—*Josee Farmilo*, Lower George-st., St. Luke's, Chelsea, Middlesex, plasterer.

March 28 at 10, before Mr. Commissioner LAW.

Frances King, Princes-road, Notting-hill, Middlesex, governess.—*James W. Taylor*, Amelia-place, Storkwell, Lambeth, Surrey, clerk to silk mercers.

March 29 at 11, before Mr. Commissioner PHILLIPS.

George Cardall, Paul-st., Lake-st., Finsbury, Middlesex, cheesemonger.—*George Coleman*, Keate-street, Spitalfields, Middlesex, licensed victualler.—*Frederick T. Read*, George-street, Portman-square, Middlesex, artist.—*Robert Brown*, Strand, Middlesex, out of business.

March 31 at 10, before Mr. Commissioner LAW.

Edward John Smales, Cross-st., Newington-butts, Surrey, in no business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

March 28 at 10, before Mr. Commissioner LAW.

Thomas Craig, Upper Mitcham, Surrey, market gardener.—*Thos. Clements*, Chiswell-st., Finsbury, Middlesex, cattle dealer.—*John Holnass*, Union-st., Spitalfields, Middlesex, out of business.

Adjourned.

Chas. Nash, Southampton-st., Strand, Middlesex, colonial agent.

March 29 at 11, before Mr. Commissioner PHILLIPS.

Alexander Cork King, Carlton-square, New-cross, Surrey, barrister's clerk.—*Thomas Main*, Hannibal-road, Mile-end, Middlesex, out of business.—*Wm. Henry Main* the younger, Water-lane, Blackfriars, London, plumber.—*William John*

Lawrence, Laxon-street, Long-lane, Bermondsey, Surrey, oilman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, March 28 at 11.

John Simms, Manchester, out of business.—*Jas. Hacking*, Blackburn, coal dealer.—*Thomas Dalton*, Salford, joiner.—*Robert Wright*, Wigan, attorney's clerk.—*Geo. Shuttleworth*, Blackburn, hatter.—*James Hitchen*, Crompton, near Oldham, out of business.—*William Stott*, Oldham, brewer.—*Thomas Bennett*, Manchester, surgeon.—*James Lyon*, Liverpool, auctioneer.—*Wm. Walker*, Manchester, licensed victualler.—*Thos. Emery*, Manchester, grocer.—*Wm. Jenkins*, Preston, shoemaker.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, March 31.

James Beart, Ypwell, farmer.—*Samuel Benjamin Sherrington*, Great Yarmouth, attorney-at-law.—*Henry Christopher Howes*, Great Yarmouth, out of business.—*Jas. Beart*, Welney, wheelwright.—*James Larkie*, Great Yarmouth, carpenter.

At the County Court of Norfolk, at the Guildhall, NORWICH, March 31 at 10.

Samuel Archer, Norwich, carrier.—*Thos. Bennett*, Twitshall St. Mary, out of business.

At the County Court of Berkshire, at READING, April 1.

Arthur Osborne, Newbury, licensed victualler.

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The Jurist

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LONDON, MARCH 22, 1851.

THE case of *Metairie v. Wiseman*, which has recently occupied so much of the time of Lord Cranworth, V.C., and so much of the attention of the public, affords additional evidence, if such evidence be necessary, of the propriety of introducing into this country a law to regulate precisely the mode in which gifts of personalty for religious or charitable purposes may be made, and for abolishing altogether the validity of all death-bed gifts of such property for such purposes. Of the case referred to, although it occupied, we believe, nine days in argument, the substance, so far as the lawyer is concerned with it, may be stated in a very few sentences; nor was there any difficulty, for those who were lookers on, in seeing, even long before the opening of the case was concluded, how it must end, whether compulsorily, or, as it eventually did end, by arrangement. The bill made a double charge—of specific fraud, and of undue influence and pressure. The specific fraud charged was, that certain of the defendants persuaded Carré, the donor, to execute a deed of gift of the corpus of his estate, making him believe it was a power to receive his dividends. The case of pressure and undue influence charged was, that the donor was, while in a debilitated state of mind and body, pressed and persuaded by spiritual influence to execute the deed of gift.

Of the charge of specific fraud, it may, we think, be said, without much fear of contradiction, that, on the evidence before the Court on the motion for an injunction, it completely broke down. Not so with regard to the case of undue influence. As to that, thus much was clear by the affidavits of the defendants themselves, that the donor, on the very day on which the deed of gift was executed, expressed a wish not to do anything on that day, giving as his reason that he was too ill; and that he was induced to proceed to business, and to execute the deed, by something said to him by the defendant Holdsworth, the priest, which some-

thing was said in a language not understood by any person present: so that, assuming the defendant Cooke to have been Carré's professional adviser, his client was subjected to persuasions, the force of which Cooke, not understanding, had, of course, no means of repelling, if it ought to have been repelled. There were other circumstances, but this alone was enough to raise, at least, a grave question, whether the gift to the trustees for the charity was valid; and the question being, therefore, whether the trustees held the legal estate for the beneficial donees under the deed, or for the next of kin of the deceased—that question being one of at least considerable doubt, as against the claim of the donees under the deed—it would have been a matter almost of course, according to the practice of the Court, that, pending the determination of the beneficial title, the fund should be preserved intact for the benefit of the persons who should ultimately establish their title; and an order to this effect would, no doubt, have been made, or an arrangement to the same effect brought about at the instance of the Court, very early in the case, if it had not been one of extraordinary public interest, on peculiar grounds. It is true, that the circumstance of the plaintiffs making a charge of gross fraud, in which they failed, was argued as an objection to their succeeding on the ground of undue influence; and possibly that objection may be a fatal one to the maintenance of a bill at the hearing of the cause; but it by no means follows, nor has it, we believe, been decided, that such an objection would prevail against making an interlocutory order for the preservation of property until the hearing of the cause; for, although it is, no doubt, a general rule of practice, that the Court will not make an interlocutory order on the foundation of a bill which it sees clearly must be dismissed at the hearing, yet as, on a motion heard on affidavits, the Court cannot be said to be ever in a position to see clearly that the charges of a bill, although not sustainable on the affidavits, may not be sustainable on evidence adduced at the hearing, it is probable that the Court

would not refuse to protect property in the meantime. However, our principal object in this paper is not so much to discuss the particular case of *Metairie v. Wiseman*, with respect to the principles on which that case would on the motion have been decided, as to found upon the circumstances made public by that case, and by the case on which Mr. Berkeley has recently presented a petition to Parliament, some observations in favour of a very extensive and stringent measure of legislative protection to donors liable, either by age, by extreme youth, or by other causes of weakness, to be influenced by spiritual or other improper pressure in the disposal of their personal property. The case of Miss Augusta Talbot, detailed in Mr. Berkeley's petition, on which we venture no opinion whatever as to the legal propriety of the conduct of the guardians, shews at least this, that a young lady may be, consistently with what we are bound to assume are the conscientious notions of duty of gentlemen of the particular religious persuasion in which it is to be collected from the case of *Talbot v. The Earl of Shrewsbury* (4 My. & C. 672) that Mr. Talbot desired his children to be educated, in a position in which, while still a minor, she may be permitted to contract conditional obligations, which, if not cancelled by her within a very few months after attaining her majority, will become irrevocably binding.

The jurisdiction of the Court of Chancery in cases of both of the classes above referred to, although extensive, is not sufficient to prevent the evils resulting from weakness exposed to many influences, more particularly to spiritual influence, because of the difficulty of dealing in each case with the facts, and determining what is undue influence. To insure sufficient protection a legislative measure is obviously necessary; and the question is, what species of protection should be afforded.

The only efficient course would, we conceive, be to get rid of the difficulty of defining what amounts to such influence as will invalidate a gift, by making all gifts, for certain objects, void unless made with given formalities, and revocable for a given time even after such formalities have been complied with. Thus, suppose it were enacted, that every gift of personality to any ecclesiastical person of any persuasion, for any ecclesiastical or other charity, or for the sustentation of any ecclesiastical person or association, or for the benefit of any church or chapel, or ecclesiastical person or body, or conventual person or association of persons, shall be absolutely void if the donor is under twenty-five, or is living in any convent, or under the care of any ecclesiastical person not being a father or a brother, or unless the gift, whether by parol, or by deed, or by will, be made in the presence of a magistrate, and notice thereof afterwards given by public advertisements; and that every such gift should be revocable for two years from the date thereof, with regard to a donor surviving such two years, and void, if made by will, unless the testator should survive two years;—such an enactment would prevent all such cases as *Mons. Carré's* and *Miss Talbot's*, while it would not prevent the legitimate disposition of property in favour of religious or other charities, by persons capable of substantially knowing what they are about, and doing what they intend.

That an enactment, founded on such principles, would prevent many death-bed charities for religious, or rather for ecclesiastical purposes, in all sects, is very probable; that it would prevent any donations for such purposes, dictated by religious feelings, existing in a healthy and free acting mind, is much to be doubted; but that it would prevent many cases of most unjust disinheriting of families is certain.

Reviews.

A Compendium of the Law and Practice of Vendors and Purchasers of Real Estate. By J. H. DART, Esq., Barrister at Law. [Stevens & Norton.]

Mr. Dart says in his preface, that his object has been to produce a work which, without being a mere elementary outline on the one hand, or a mere index of cases on the other, may supply the student with a concise and connected statement of the present law and practice affecting vendors and purchasers of real estate, and the practitioner with a portable book of reference to the recent and the most important early authorities on the subject.

There are, or have been, four styles of legal writing. The first is that of Mr. Roper's treatises, and others of the same day; consisting of, in fact, an abridgment, and not a very concise one, of all the cases on each branch of a subject; setting out the facts, sometimes the arguments, and a large portion of the judgment verbatim. The next is that adopted by a very eminent writer, and consists in a dissertation on the law, formed of fragments of judgments very skillfully put together, so as to form a flowing argument, almost necessarily forcible, because of each part of it being in truth the very words of some great judge. The third consists of a similar sort of dissertation, different only in this, that instead of its separate branches being judgments *ipseissimis verbis*, they consist of the rule to be deduced from those judgments, or their result, stated in a few words or lines. The fourth is to string together marginal notes, with the references. For a library book, to be read and re-read by early students, the second is the best class of books; for the riper student, and for the practitioner, the third is the best class of work, if it is carefully executed; but it is very difficult of execution, and requires a degree of labour, as well as ability, which few writers bring to the task. Mr. Dart's book is of the third class, and, in our opinion, he has well executed his task; the work is short, readable, and very accurate.

It would be tedious and useless to our readers to attempt a minute analysis of the contents of a work of this character; suffice it to say, that it embraces all the material topics of inquiry, commencing with the capacity to buy and sell, and thence travelling through the mode of sale, by private agreement and by public auction; the abstract; the completion of the purchase; the modes of enforcing and resisting specific performance, &c.; and ending with the subject of sales under the decree of the Court. Of Mr. Dart's mode of treating his subject, the best idea will be given to the reader by referring to some passages, and we accordingly select two, which are fair specimens of his style and manner of stating the law. The first is a portion of the section devoted to the question of a purchaser's liability to see to the application of trust purchase money, (p. 283). On this Mr. Dart says—

"It is submitted that, in every case, the question is 'simply one of intention on the part of the author of the trust; and that the trustees' power to give receipts depends solely upon the degree of confidence which he has, either expressly or impliedly, reposed in them.

"This intention may, as before observed, be either

'expressed or implied; expressed, as where the will or trust deed contains a clause which in terms empowers the trustees to give valid discharges for the purchase money; implied, as where the trusts are of such a nature as that a contrary intention cannot reasonably be attributed to the author of the trust.

"And if this intention be expressed or can be implied, the trustees, upon a sale apparently in pursuance of the trust, have, under all circumstances, a power to give receipts. Of course, it may be shewn that the sale is, in fact, a breach of trust; but then the objection is to the sale itself, and is not a question of application of purchase money.

"And, on the other hand, where this intention is not expressed, and cannot be implied, the mere fact that the parties beneficially interested at the time of sale are infants, or unascertained, or any other similar circumstances, will not enable the trustees to give a valid discharge; but the purchaser must see to the application of the money.

"For instance, (to consider first the question of implied intention, and what sufficiently indicates it), where the trust is for payment of debts generally, or for payment of debts generally and of legacies or annuities, the trustees take by implication a power to give discharges; for no purchaser, upon a sale during the existence of debts, could be expected to take an account of them. So, where the trust is for payment to a person or persons who may be unascertained, or under age, or subject to any other incapacity or inability to receive the purchase money, and a sale during the existence of such uncertainty, minority, incapacity, or inability, seems contemplated by the author of the trust; for, if the trustees cannot receive the money, there would, upon a sale under such circumstances, be no hand to receive it. So, where the money 'is to be applied upon trusts which require time and discretion;' for no purchaser could be expected to involve himself therein. So, where the money is to be invested, it is sufficient if the purchaser see that this is done, and that a declaration of trust is executed.

"So, executors can give good discharges for the purchase money of chattels real, although specifically bequeathed; for an appointment of an executor is, in effect, a bequest to him of the personality, in trust to sell for the payment of general debts: and the same rule seems to apply to cases where executors take, either expressly or by implication, a power to sell freeholds or copyholds, and the proceeds of sale are to be applied by them in a mixed fund with the residuary personal estate.

"But, on the other hand, where the trusts are for payment of the purchase money, or some definite part of it, to some ascertained person or persons, whose incapacity or inability to receive the same at the time of sale does not appear to be contemplated by the author of the trust, there is no sufficient indication of an intention that the trustees shall give good discharges; and the purchaser is, therefore, bound to see to the application of the whole or part (as the case may be) of the purchase money.

"For instance, where the trust (as respects the whole or some definite portion of the purchase money) is to pay scheduled or specified debts, or legacies only, or to divide it between two or more adults, in all these and similar cases, as nothing seems to be contemplated which would impose upon a purchaser any greater hardship than that of paying the whole or a definite part (as the case may be) of his purchase money to A., the beneficial, rather than to B., the legal, owner of the property, no intention can be implied of relieving the purchaser from his *prima facie* obligation of seeing that his money reaches the hand substantially entitled to it."

The next passage which we select is in p. 404, on constructive notice. On this Mr. Dart says—

"Constructive notice (which, in its general effects, is similar to actual notice) has been defined to be, 'evidence of notice, the presumptions of which are so violent that the Court will not allow even of its being controverted.' This, perhaps, scarcely conveys a satisfactory notion of the nature of the doctrine, the reported decisions upon which, it is submitted, clearly shew that constructive notice is often held to exist in the absence of any idea by the Court of the existence of actual personal knowledge. If, for instance, a purchaser, having notice of a deed as being one which affects the property, is induced to rely upon the vendor's representation as to its contents, the Court will hold him bound by those contents, even although it were satisfactorily shewn from the nature of the transaction that he placed implicit and *bona fide* confidence in the good faith of the vendor. So, in *Jackson v. Rowe*, (2 Sim. & S. 475), Sir John Leach says, 'Although he (the purchaser) may, in fact, have been ignorant of the settlement, yet, in equity, he must be fixed with all the knowledge which it was reasonable he should acquire.' Constructive notice may, perhaps, be rather considered to consist in those circumstances under which the Court concludes, either that the party (personally or through his agent) has fraudulently abstained from acquiring actual notice, or has been guilty of such negligence in not availing himself of the means of acquiring it, as, if permitted, might be a cloak to fraud, and which, therefore, the common interests of society require should, in its consequences, be treated as equivalent to actual notice. What degree of negligence is sufficient for this purpose remains to be considered.

"In a recent case, before Wigram, V. C., it was asserted by the Court, that the cases in which constructive notice has been established resolve themselves into two classes: first, cases in which the party charged has had actual notice that the property in dispute was, in fact, charged, incumbered, or in some way affected; and the Court has thereupon bound him with constructive notice of facts and instruments, to a knowledge of which he would have been led by an inquiry after the charge, incumbrance, or other circumstance affecting the property, of which he had actual notice; and, secondly, cases in which the Court has been satisfied, from the evidence before it, that the party charged had designedly abstained from inquiry, for the very purpose of avoiding notice. And, in a later case, the Vice-Chancellor, with reference to his previous judgment, repudiates the notion (which had been attributed to him) 'that there may not be a degree of negligence so gross that a Court of equity may treat it as evidence of fraud—impute a fraudulent motive to it—and visit it with the consequences of fraud, although, morally speaking, the party charged may be perfectly innocent.' And further remarks, 'Negligence,' as I understand the term, 'supposes a disregard of some fact known to the purchaser, which at least indicated the existence of that fact, notice of which the Court imputes to the purchaser.'

"The propositions of the Vice-Chancellor seem, however, scarcely to provide for those cases in which a purchaser is affected with constructive notice, not through his personal knowledge of any fact leading him to actual notice, but by his neglect of the usual and recognised means for acquiring such knowledge or notice: for instance, a public act of Parliament is notice to all the world; so is a *lis pendens*, if registered under the act of 2 Viet. c. 11; or a deed or will registered in a register county, or entered on court rolls, (if the purchaser search over the period within which the instrument is registered or the entry is made); or a judgment entered at the Common Pleas,

'if the purchaser search the register. So, if a purchaser, without any fraudulent intention, (the absence of which might be evidenced by his payment of a full price for the property), were to accept a conveyance without any previous investigation of title, relying on the mere assurance of the vendor that he was absolute owner, he would, nevertheless, be held to have constructive notice of any defect appearing on the title; although he could be scarcely said to have actual notice of any fact indicating the existence of such defect.'

With these quotations we will close our notice of a work which is obviously prepared with great care, and will, we think, become a standard text-book.

London Gazette.

TUESDAY, MARCH 18.

BANKRUPTS.

HENRY WATSON and **JOHN GEORGE HICK**, late of the Pimlico Cement Works, Elizabeth Bridge Wharf, Pimlico, Middlesex, also late of Sittingbourne, Kent, cement manufacturers, dealers and chapmen, April 1 and May 2 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Pocock & Poole, 58, Bartholomew-close.—Petition dated March 12.

JOSEPH GRAHAM, Notting-hill-square, Notting-hill, Middlesex, hosier, dealer and chapman, March 24 at half-past 12, and April 28 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Semple, 21, Duke-st., Manchester-square.—Petition filed March 10.

AUGUSTUS HOUNSHAM, Portsmouth, Southampton, grocer, March 27 and April 24 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Binstead, Portsmouth; Smith & Son, 16, Southampton-street, Bloomsbury.—Petition filed March 12.

JOHN BUTTREY, Charlton Pier, Woolwich, Kent, victualler and hotel keeper, March 28 at half-past 12, and May 3 at 2, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Glynes, 9, Crescent, America-square, London.—Petition dated March 14.

WILLIAM JOSEPH HAWLEY, Richard-st., Woolwich, Kent, grocer and cheesemonger, March 26 at 11, and May 3 at half-past 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Digby, 1, Circus-place, Finsbury.—Petition dated March 8.

ROBERT WILLIAM WRIGHT, **CHARLES DAVY**, and **JACOB DIXON**, late of Devonshire-street, Queen-square, Bloomsbury, Middlesex, goldsmiths and jewellers, dealers and chapmen, (trading under the firm of J. Wright & Co., the said Charles Davy now residing in Newman-st., Oxford-st., and there carrying on the business of an artist's colourman, and the said Jacob Dixon now residing in Bedford-row, Middlesex, and there carrying on the business of a chemist and druggist), April 1 at 2, and May 6 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Mottram & Co., Birmingham; Emmet & Knight, 14, Bloomsbury-square.—Petition filed March 15.

JOHN MARSHALL, Southampton, coal merchant, March 28 at half-past 12, and May 2 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Linklaters, 1, Charlotte-row, Mansion-house; Hillearys, 63, Fenchurch-street.—Petition dated March 7.

ROBERT WILLIAM STREET, Oxford-street, St. Anne, Soho, Middlesex, victualler, dealer and chapman, March 28 at 2, and May 2 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Goddard, 101, Wood-st., Cheap-side.—Petition dated March 7.

HENRY SCALE, Britton Ferry Ironworks, near Neath, Glamorganshire, iron manufacturer, dealer and chapman, April 2 and 30 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Heaven & Son, Bristol; Watson, 62, Moorgate-st., London.—Petition filed March 7.

MEETINGS.

Geo. Garrard, Saxmundham, Suffolk, ironmonger, March 28 at half-past 1, Court of Bankruptcy, London, last ex.—**Eliza Newens**, Bread-st., London, watch maker, March 29 at 11, Court of Bankruptcy, London, aud. ac.—**Samuel Amos**,

Hanley, Staffordshire, scrivener, March 31st (and not 24th as before advertised) at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—**Nathan Gray**, Great Yarmouth, Norfolk, common brewer, April 8 at 12, Court of Bankruptcy, London, div.—**Wm. Whitwell**, Bethnal-green, Middlesex, soap manufacturer, April 4 at half-past 12, Court of Bankruptcy, London, div.—**Thomas Dyson**, Bradford, Yorkshire, linendraper, April 10 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. W. Irving, Gloucester-street, Queen-square, Bloomsbury, Middlesex, merchant, April 10 at half-past 11, Court of Bankruptcy, London.—**George Milton**, Elizabeth-terrace, Liverpool-road, Islington, Middlesex, contractor, April 10 at half-past 11, Court of Bankruptcy, London.—**A. Willsher**, South Island-place, Clapham-rd., Surrey, livery-stable keeper, April 10 at 11, Court of Bankruptcy, London.—**James B. Larke**, Norwich, draper, April 9 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Joseph Haley and **William Thomason**, Manchester, cotton manufacturers.—**W. Pitcher**, Pershore, Worcestershire, corn dealer.—**Wm. S. Cooper**, Bishopsgate-street Without, London, and New-street, Dorset-square, Middlesex, grocer.—**T. Skam**, Claremont-terrace, and Pensbury-place, Wandsworth-road, and York-cottage, York-rd., Battersea, Surrey, builder.—**John Roden**, Stamford, Lincolnshire, draper.—**Jos. Brown**, Windmill-street, Gravesend, Kent, grocer.

SCOTCH SEQUESTRATIONS.

John Graham, Portmahomack, Ross-shire, fishcurer.—**Wm. Storie**, Johnston, baker.—**Wm. Sharp**, Alloa, merchant.—**James Mackie**, Greenock, draper.—**Wm. Secon**, Edinburgh, cattle dealer.—**R. S. Harding**, Glasgow, tea dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Farndale, Middlesbrough, Yorkshire, farmer, April 15 at 10, County Court of Durham, at Stockton.—**H. Wimer**, Barnard Castle, Durham, ale and porter merchant, April 15 at 10, County Court of Durham, at Barnard Castle.—**J. Gerbalt** the younger, Stainsby, near South Stockton, Yorkshire, collector of Income and Property Tax, April 15 at half-past 10, County Court of Durham, at Stockton.—**Benjamin Walker**, Ragnall, near Dunham-on-Trent, Nottinghamshire, joiner, April 9 at 10, County Court of Nottinghamshire, at East Retford.—**John B. Munsenbeck**, Stockton-upon-Tees, Durham, merchant, April 15 at half-past 10, County Court of Durham, at Stockton.—**Wm. Smith**, Westmark, Sheet, Southampton, farmer, March 27 at 11, County Court of Hampshire, at Petersfield.—**Geo. Austin**, Madeley, Shropshire, saddler, April 19 at 10, County Court of Shropshire, at Madeley.—**Green Hodgkin**, Measam, Derbyshire, baker, April 15 at 9, County Court of Leicestershire, at Ashby-de-la-Zouch.—**J. Atkinson**, Lavingham, Yorkshire, innkeeper, March 26 at 11, County Court of Yorkshire, at Helmsley.—**Thomas Forster**, Crowland, Lincolnshire, schoolmaster, April 2 at 12, County Court of Lincolnshire, at Spalding.—**J. Candler**, Norwich, plumber, March 31 at 10, County Court of Norfolk, at Norwich.—**John Davies**, Nant Inon, Llanthysaint, Carmarthenshire, farmer, April 4 at 11, County Court of Carmarthenshire, at Llandovery.—**Wm. Addison**, Liverpool, licensed victualler, March 22 at 9, County Court of Lancashire, at Liverpool.—**Edward Howard**, Liverpool, stevedore, March 22 at 9, County Court of Lancashire, at Liverpool.—**Hugh Makin**, Everton, Liverpool, out of employment, March 22 at 9, County Court of Lancashire, at Liverpool.—**Peter M'Aoy** the younger, Liverpool, provision dealer, March 22 at 9, County Court of Lancashire, at Liverpool.—**John Peers**, Liverpool, baker, March 22 at 9, County Court of Lancashire, at Liverpool.—**James Lyon**, Liverpool, upholsterer, March 22 at 9, County Court of Lancashire, at Liverpool.—**Edw. Jas. W. Rutledge**, Liverpool, draper's assistant, March 22 at 9, County Court of Lancashire, at Liverpool.—**Hugh Reid**, Liverpool, painter, March 22 at 9, County Court of Lancashire, at Liverpool.—**Wm. Henshaw**, Loughborough, Leicestershire, cooper, March 24 at 11, County Court of Warwickshire, at Atherstone.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 2 at 11, before the CHIEF COMMISSIONER.

Benjamin Skuse, Brill-row, Somers-town, Middlesex, cow-keeper.

Saturday, March 15.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Wm. Pickles, Bradford, Yorkshire, plasterer, No. 70,791 C.; James Byrom, assignee.—Samuel Boys, Armley, near Leeds, Yorkshire, commercial traveller, No. 73,361 C.; Henry Roberts and William Webster, assignees.—Isaac Welford, Brownson-bank, near Richmond, Yorkshire, farmer, No. 73,377 C.; Joseph Glover, assignee.—Thomas Walker, Wootton, Lincolnshire, blacksmith, No. 73,392 C.; William Armstrong, assignee.—Joseph Wilson Jackson, Scampton, near Lincoln, farmer, No. 73,404 C.; William Read and William Harwood, assignees.

Saturday, March 15.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Mitchell, Great Winchester-street, Old Broad-street, London, merchant's clerk: in the Debtors Prison for London and Middlesex.—Thomas John Winter, Parham-place, King's-road, Chelsea, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—William Kelly, Laburnum-terrace, Kingland-road, Middlesex, cigar dealer: in the Debtors Prison for London and Middlesex.—Joseph Clarkson, Cheltenham-place, Westminster-road, Lambeth, Surrey, commission agent: in the Gaol of Horsemonger-lane.—Samuel Staples Waller, Park-street, Kennington-cross, Kennington, Surrey, undertaker: in the Gaol of Horsemonger-lane.—Lewis Foster, Clement's-inn-passage, Clare-market, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—John Peacock, York-terrace, Queen's-road, Holloway, Middlesex, house painter: in the Debtors Prison for London and Middlesex.—Robert Smith, Somerset-place, Forest-row, Dalston, Middlesex, accountant: in the Debtors Prison for London and Middlesex.—Richard Porter, Paul-street, Finsbury, Middlesex, coffee-shop keeper: in the Debtors Prison for London and Middlesex.—William Atkins, Edgware, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—Thomas Hird, Tottenham-court-road, Middlesex, foreman to a furniture dealer: in the Debtors Prison for London and Middlesex.—Alfred England, New-street-square, Fetter-lane, Holborn, London, eating-house keeper: in the Debtors Prison for London and Middlesex.—John Pearce Cameron, Stafford-place, Pimlico, Middlesex, commission agent to an army clothier: in the Queen's Prison.—Thomas Bennett, Tivethall St. Mary, Norfolk, farmer: in the Gaol of Norwich.—James Beart, Upwell, Norfolk, farmer: in the Gaol of Norwich.—Thomas Emery, Chorlton-upon-Medlock, Manchester, grocer: in the Gaol of Lancaster.—Fred. Fenwick, Stetchworth, Cambridgeshire, farmer: in the Gaol of Cambridge.—George Lankham, Maddington, Wiltshire, farmer: in the Gaol of Fisherton Anger.—James Lyon, Liverpool, auctioneer: in the Gaol of Lancaster.—Thos. Edw. Lovett, Liverpool, commission agent: in the Gaol of Lancaster.—Francis Staley, Chorlton-upon-Medlock, Lancashire, shoemaker: in the Gaol of Lancaster.—Job Walker, Lindley, near Huddersfield, Yorkshire, woollen cloth manufacturer: in the Gaol of York.—Joseph Walker, Lindley, near Huddersfield, Yorkshire, woollen cloth manufacturer: in the Gaol of York.—William Walker, Manchester, licensed victualler: in the Gaol of Lancaster.—James Beart, Welney, Norfolk, wheelwright: in the Gaol of Norwich.—Joseph Edwards, Birmingham, confectioner: in the Gaol of Coventry.—James Lark, Great Yarmouth, Norfolk, carpenter: in the Gaol of Norwich.—Robert Teasdale, Redwell-hills, near Lead-gate, Durham, publican: in the Gaol of Durham.—Rich. Ackerly, Dockham, Moreton Hampstead, Devonshire, stonemason: in the Gaol of St. Thomas the Apostle.—Hugh Seyton Colquhoun, Tiverton, Devonshire, in no trade: in the Gaol of

St. Thomas the Apostle.—Frederick Hervey Bathurst Phillips, Plymouth, Devonshire, lieutenant in her Majesty's Royal Artillery: in the Gaol of St. Thomas the Apostle.—James Lawrence, Southampton, jeweller: in the Gaol of Southampton.—William Courtis, Plymouth, Devonshire, shoemaker: in the Gaol of St. Thomas the Apostle.—Henry Brotherton, Fore Bondgate, Bishop Auckland, Durham, grocer: in the Gaol of Durham.—Wm. Ditchburn, Durham, grocer: in the Gaol of Durham.—Joseph Green, Bishopwearmouth, Durham, innkeeper: in the Gaol of Durham.—John Huddleston, Monkwearmouth, Durham, boatbuilder: in the Gaol of Durham.—Henry Hilton, Birkenhead, near Liverpool, butcher: in the Gaol of Lancaster.—George J. P. Knight, Chard's Mead, Bridport, Dorsetshire, innkeeper: in the Gaol of Dorchester.—Frank Rimington, Rochester, Kent, plumber: in the Gaol of Maidstone.—Wm. Sardeson, Dyke, near Bourn, Lincolnshire, miller: in the Gaol of Lincoln.—Samuel T. Smith, Coventry, Warwickshire, ribbon manufacturer: in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 1 at 11, before the CHIEF COMMISSIONER.

Thomas Fox, Jeffrey's-terrace, Kentish-town, Middlesex, lodging-house keeper.—John E. G. Wilson, Lindsay-place, Chelsea, Middlesex, engineer.

April 2 at 10, before Mr. Commissioner LAW.

Felix R. Stephens, Museum-st., Bloomsbury, Middlesex, discount agent.—Joseph Bennett, Woolwich, Kent, tobacco-merchant.—Wm. Thomas, Ivy-cottage, Mourning-lane, Church-street, Hackney, Middlesex, omnibus driver.—John Henry Doyle, Strand, Middlesex, editor of the Weekly Chronicle newspaper.

April 3 at 11, before Mr. Commissioner PHILLIPS.

John Hobbs, Wootton-place, New-town, Deptford, Kent, baker.—Wm. Brett, Morgan-st., St. George's-in-the-East, Middlesex, licensed victualler.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Herefordshire, at HEREFORD, April 10 at 10.

Wm. Vaughan the younger, Almely, shoemaker.

At the County Court of Devonshire, at EXETER, April 5 at 10.

Richard Ackerly, Dockham, Moreton Hampstead, stonemason.—Charles Bayly F. Stevenson, Babbicombe, surgeon's assistant.

At the County Court of Hampshire, at SOUTHAMPTON, April 1.

James Lawrence, Southampton, out of business.

At the County Court of Gloucestershire, at BRISTOL, April 9 at 11.

John P. Sparks, Bristol, in no trade.

At the County Court of Kent, at MAIDSTONE, April 1.

Frank Rimington, Rochester, plumber.

At the County Court of Wiltshire, at SALISBURY, April 4 at 11.

George Lankham, Maddington, farmer.

MEETING.

Thomas Stoker, York, butcher, April 3 at 12, George Inn, York, sp. aff.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Purchas, lieutenant in the Royal Navy on half-pay, Archer's, Great Portland-street, Oxford-street: 4s. 7½d. in the pound.

FRIDAY, MARCH 21.

BANKRUPTS.

WILLIAM HENRY TAUTZ and BASS JACKSON, Great Russell-st., Tottenham-court-road, Middlesex, linendrapers, milliners, dealers and chapmen, April 3 at 2, and May 6 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sharp & Inderman, 2, Devonshire-terrace, High-st., Marylebone.—Petition filed March 18.

ROBERT BLACKER, Ripon, Yorkshire, innkeeper, dealer and chapman, April 10 and May 2 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Farmery, Ripon; Naylor, Leeds.—Petition dated March 15.

JOHN WOODHOUSE, Ripon, Yorkshire, draper, dealer and chapman, March 31 and April 28 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. J. & H. Norris, Manchester; J. & H. Richardson & Gaunt, Leeds.—Petition dated March 5.

SMITH TIBBITS, formerly of Frampton Cotterell, Gloucestershire, but now of Shuckburgh, Warwickshire, dealer in mineral ores, dealer and chapman, March 31 and April 28 at 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Kirby, Warwick; Motteram & Co., Birmingham.—Petition dated March 7.

JAMES FARLEY, Liverpool, laceman and hosier, dealer and chapman, March 31 and April 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Williams, Liverpool.—Petition dated March 17.

THOMAS DEAN, Seascombe, Cheshire, chemist and druggist, April 3 and 25 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Toulmin, Liverpool.—Petition filed March 18.

SAMUEL ARMSTRONG, Bolton-le-Moors, Lancashire, glass and china dealer, dealer and chapman, (also now or lately carrying on business at Bolton-le-Moors, under the style or firm of Gee & Armstrong, as glass manufacturers), April 14 and 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Marsland, Bolton-le-Moors.—Petition filed March 15.

JOSEPH LUCAS HORROCKS, Manchester, merchant and drysalter, dealer and chapman, (trading at Manchester under the style or firm of Horrocks, Scheer, & Co., and in the city of London in partnership with Gustav Kober, under the style or firm of Gustav Kober & Co.), April 3 and May 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Canliffe & Co., Manchester.—Petition filed March 11.

MEETINGS.

Richard Heath, Three Cok-street, Llanthouse, Middlesex, innfounder, April 10 at half-past 11, Court of Bankruptcy, London, pr. d.—*John Parker*, Oxford, brewer, April 3 at 1, Court of Bankruptcy, London, ch. ass.—*Thomas Truby*, Bicester, Oxfordshire, hardwareman, April 10 at 1, Court of Bankruptcy, London, last ex.—*Joseph Dalton*, *Joseph Burn*, and *Robert Turpin*, Newcastle-upon-Tyne, earthenware manufacturers, April 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Abraham Chadwick*, Burnedge, Rochdale, and *Fair View*, near Littleborough, Lancashire, cotton spinners, April 3 at 11, District Court of Bankruptcy, Manchester, last ex.—*Ephraim Gweller*, Finslow, West Ham, Essex, baker, April 3 at 11, Court of Bankruptcy, London, and. ac.—*Elph Hille*, Downham, Isle of Ely, Cambridgeshire, grocer and flour seller, April 1 at 1, Court of Bankruptcy, London, and. ac.—*Henry Gladwell Mortimer*, Nayland, Suffolk, and *James Mortimer*, New Church-street West, Paddington, Middlesex, builders, April 7 at 11, Court of Bankruptcy, London, and. ac.—*John Penfold*, Marlborough-place, Old Kent-road, Surrey, wholesale grocer, April 1 at 11, Court of Bankruptcy, London, and. ac.—*James Corbett*, New-mills, Llantilio Pertholey, Monmouthshire, miller, April 10 at 11, District Court of Bankruptcy, Bristol, and. ac.; April 17 at 11, div.—*William Huse*, Stockport, Cheshire, draper, April 9 at 12, District Court of Bankruptcy, Manchester, and. ac.; April 16 at 12, div.—*Edward Hall*, Manchester, packer, and Staleybridge, Ashton-under-Lyne, innkeeper, April 1 at 12, District Court of Bankruptcy, Manchester, and. ac.—*William Goldsack Wilkies*, Accrington, Lancashire, draper, April 9 at 12, District Court of Bankruptcy, Manchester, and. ac.; April 16 at 12, fin. div.—*Thomas Dyson*, Bradford, Yorkshire, linen-draper, April 4 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Hans Chesby*, Burnley, Lancashire, linen-draper, April 4 at 12, District Court of Bankruptcy, Manchester, and. ac.; April 11 at 12, div.—*Dominique Frick Albert*, Manchester, dealer in mathematical instruments, April 3 at 12, District Court of Bankruptcy, Manchester, and. ac.—*John Watson* and *Robert Young Watson*, Sunderland, ship-builders, April 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac. joint est., and div. sep. est. of — *J. Wyatt* the younger, Milverton, Somersetshire,

grocer, April 2 at 11, District Court of Bankruptcy, Exeter, and. ac.; April 11 at 1, div.—*James Gilton*, Leeds, Yorkshire, woollendrapier, April 1 at 11, District Court of Bankruptcy, Leeds, and. ac.; April 14 at 11, div.—*Rich. Gadsden*, Boughton-mills, Northamptonshire, miller, April 11 at half-past 1, Court of Bankruptcy, London, div.—*Alexander Black*, Wellington-street North, Covent-garden, Westminster, Middlesex, bookseller, April 11 at 11, Court of Bankruptcy, London, div.—*Thomas Dalby*, Hythe, Kent, builder, April 11 at 1, Court of Bankruptcy, London, div.—*Wm. Keeping*, East-street, Walworth, Surrey, common brewer, April 11 at 11, Court of Bankruptcy, London, div.—*Charles Wilson Mackryde*, Watling-street, London, wine merchant, April 11 at 12, Court of Bankruptcy, London, div.—*John Inge*, Henley-in-Arden, Warwickshire, surgeon, April 14 at 11, District Court of Bankruptcy, Birmingham, and. ac.; April 26 at 11, div.—*Charles Cradgington* and *Thomas Southall*, Lea-brook Ironworks, Tipton, Staffordshire, ironmasters, April 14 at 10, District Court of Bankruptcy, Birmingham, and. ac. and div. sep. est. of *Charles Cradgington*.—*John Smith*, Rugeley, Staffordshire, money scrivener, April 14 at 10, District Court of Bankruptcy, Birmingham, and. ac.; April 26 at 11, div.—*Samuel Amos*, Hanley, Staffordshire, scrivener, April 26 at 11, District Court of Bankruptcy, Birmingham, div.—*Christopher Samuel Flood* and *Harry Buckland Lott*, Honiton, Devonshire, bankers, April 15 at 1, District Court of Bankruptcy, Exeter, div.—*Jas. Dixon*, Morley, Batley, Yorkshire, dyer, April 11 at 11, District Court of Bankruptcy, Leeds, div.—*Martin Buggels*, Liverpool, victualler, April 11 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. Boydell Golborne* and *Arthur Acheson Dobbs*, Liverpool, wine merchants, April 15 at 11, District Court of Bankruptcy, Liverpool, div.—*John Cheshire*, Hartford, Cheshire, salt manufacturer, April 15 at 11, District Court of Bankruptcy, Liverpool, div.—*George Charnock*, West Derby, near Liverpool, baker, April 14 at 11, District Court of Bankruptcy, Liverpool, div.—*Alexander Brown* and *William Todd*, Liverpool, provision merchants, April 14 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Beane, Fen Ditton, Cambridgeshire, innkeeper, April 15 at 2, Court of Bankruptcy, London.—*Chas. Maron*, Newmarket, Cambridgeshire, livery-stable keeper, April 15 at 11, Court of Bankruptcy, London.—*Edward Leigh*, Glossop, Derbyshire, cotton manufacturer, April 14 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Henry Johnson, Bishopsgate-street Without, London, tin dealer.—*Richard Northover*, Skinner-street, Bishopsgate-st., and Cheapside, London, lint manufacturer.—*F. G. Monnerat*, Cheltenham, Gloucestershire, wine merchant.—*J. Chisham* and *Wm. Chisham*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers.—*Samuel Willett* the elder, Cheltenham, Gloucestershire, plumber.—*Wm. Goodwin*, Macclesfield, Cheshire, manufacturer.

PETITION ANSWERED.

Peter Manches, Curtain-rd., Shoreditch, Middlesex, cabinet manufacturer.

SCOTCH SEQUESTRATIONS.

James Norwell, Glasgow, silk mercer.—*Alexander Gordon*, Drumblade, farmer.—*J. R. Dennistoun*, Glasgow, merchant.—*George Ord*, Glasgow, house factor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Wenson, Uffculm, Devonshire, farmer, April 17 at 10, County Court of Devonshire, at Tiverton.—*John M. Longmore*, Birmingham, manufacturer of gas fittings, March 29 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Birch*, Birmingham, builder, March 29 at 11, County Court of Warwickshire, at Birmingham.—*Robert Gooden* the younger, Birmingham, clerk to an auctioneer, March 29 at 11, County Court of Warwickshire, at Birmingham.—*Henry Bishop* the younger, Exmouth, Littleham, Devonshire, brazer, April 12 at 10, County Court of Devonshire, at Exeter.—*W.*

Stones, Great Yarmouth, Norfolk, out of business, April 2 at 10, County Court of Norfolk, at Great Yarmouth.—*James Mossely* the younger, Worcester, bed sacking manufacturer, April 9 at 10, County Court of Worcestershire, at Worcester.—*Rev. John Fish*, Thurstaston, Cheshire, clerk, March 28 at 10, County Court of Cheshire, at Birkenhead.—*J. Sheldon*, Tipton, Staffordshire, buttly collier, April 4 at 12, County Court of Worcestershire, at Dudley.—*John Sanger*, Bristol, brewer, April 30 at 11, County Court of Gloucestershire, at Bristol.—*Michael Botting*, Brighton, Sussex, grocer, April 11 at 12, County Court of Sussex, at Brighton.—*A. G. Ræe*, Bristol, woollendrapier, April 30 at 11, County Court of Gloucestershire, at Bristol.—*William Firkin*, Great Bridge, Staffordshire, huckster, April 4 at 12, County Court of Worcestershire, at Dudley.—*Joseph Jeffries*, Walsall, Staffordshire, bridle cutter, March 28 at 12, County Court of Staffordshire, at Walsall.—*George Booth*, Wednesbury, Staffordshire, shoemaker, March 29 at 2, County Court of Staffordshire, at Oldbury.—*Charles Godwin*, Prescott, Lancashire, commercial traveller, April 2 at 11, County Court of Lancashire, at St. Helen's.—*E. J. Macintosh*, Gravesend, Kent, plumber, April 5 at 10, County Court of Kent, at Gravesend.—*Geo. Chaston*, Gravesend, Kent, tailor, April 5 at 10, County Court of Kent, at Gravesend.—*Mary Ann Bown*, widow, Matlock, Derbyshire, innkeeper, April 9 at 11, County Court of Derbyshire, at Wirksworth.—*James Stone*, Castle Bytham, Lincolnshire, tailor, April 1 at 12, County Court of Lincolnshire, at Bourne.—*Wm. Cowles*, Monmouth, butcher, April 11 at 2, County Court of Monmouthshire, at Monmouth.—*Richard Pugh*, Brilley, Herefordshire, out of business, April 7 at 1, County Court of Herefordshire, at Kingston.—*Richard Whitehouse*, Hereford, boatman, April 10 at 10, County Court of Herefordshire, at Hereford.—*Theodore John Townsend*, Bristol, tailor, April 9 at 11, County Court of Gloucestershire, at Bristol.—*Edward Dowling*, Hallatrow, High Littleton, Somersetshire, beer-seller, March 29 at 12, County Court of Somersetshire, at Chilton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 4 at 11, before the CHIEF COMMISSIONER.

William James Shirley, Edward-street, Hoxton Old-town, Middlesex, out of business.

April 4 at 10, before Mr. Commissioner LAW.

Jane Western, widow, Chapel-st., Edgeware-road, Middlesex, dealer in Devonshire pork.

April 5 at 11, before Mr. Commissioner PHILLIPS.

David Weale, Tottenham-green, Tottenham, Middlesex, farm servant.—*Isaac Harris*, Rose-cottage, Peckham-rye, Surrey, out of employ.—*Harry Dawson Roberts*, Clifford's-inn, City, attorney's clerk.—*Wm. Chapman*, Lower Lissen-street, Marylebone, Middlesex, chessmonger's shopman.

April 7 at 10, before Mr. Commissioner LAW.

William Cheese Purser, Willington-place, West India-road, Limehouse, Middlesex, china dealer.—*James Sanders*, Pleasant-place, Battle-bridge, Clerkenwell, Middlesex, eating-house keeper.

April 7 at 11, before Mr. Commissioner PHILLIPS.

John Hammond Horner, Tottenham-court-road, Middlesex, straw hat manufacturer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 4 at 11, before the CHIEF COMMISSIONER.

Charles Christian Schleirmacher, Lake's-cottages, Downham-road, Kingland-road, Middlesex, out of business.—*D. Gibson*, Hill-st., Montpelier-square, Brompton, Middlesex, not in any business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at BASTOL,

April 9 at 11.

Joseph Bndin, Bristol, law stationer.

At the County Court of Flintshire, at MOLD, April 4.

Margaret Parkes, Rhyl, out of business.

At the County Court of Herefordshire, at HEREFORD, April 10 at 10.

John Ward, Mordiford, blacksmith.—*Edwin Cooke*, Hereford, woollapler.—*Wm. Cooke*, Hereford, woollapler.

At the County Court of Essex, at CHELMSFORD, April 7.

Thomas Spicer, Barking, blacksmith.

INSOLVENT DEBTORS' DIVIDENDS.

Charles Williams the younger, Tenryn, Cornwall, grocer: 4s. 2d. in the pound.—*Andrew Paxton*, Cannon-st., London, baker: 11s. 1½d. in the pound.—*James Thomas*, deceased, Bristol, lieutenant in the army, on half-pay: 2s. 11½d. in the pound.—*George Cary*, De Beauvoir-grove, Kingland, Middlesex, merchant's clerk: 8½d. in the pound.—*Hugh Lloyd*, Ottery-place, Fulham-road, Middlesex, attorney-at-law: 9½d. in the pound.—*Wm. Frebble*, Deverill-st., Dover-road, Surrey, publican: 3d. in the pound.—*Joseph Matthew*, Middleton, near Manchester, cotton yarn dresser: 20s. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

Paul Hurdus, Allerton Bywater, near Pontefract, earthenware manufacturer, Carter's, Pontefract: 3½d. in the pound.—*Wm. Dibb*, Allerton Bywater, near Pontefract, earthenware manufacturer, Carter's, Pontefract: 1½d. in the pound.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*William Wilkinson*, of Morpeth, Northumberland; *Thomas Vickers Favell*, of Rotherham, Yorkshire.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—*Acton Tindal*, of Aylesbury, Buckinghamshire, in and for the county of Buckingham; *Thomas Wilkinson*, of the city of Canterbury, in and for the city of Canterbury, also in and for the county of Kent.

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LONDON, MARCH 29, 1851.

By the county court system, as it is at present administered, the Bar is practically excluded from the most popular tribunals of justice in the country, and we cannot but regard this as a serious evil, not only to the legal profession, but also to the public.

Before the passing of the statutes which established these courts, the Bar formed a separate class, and the division of labour between it and attorneys was found to be advantageous to all parties concerned. It is true that attorneys acted as advocates at quarter sessions, if no sufficient Bar attended; they appeared also in that capacity in the sheriffs' courts, with their limited jurisdiction of 20*l.*, and in the courts of bankruptcy and insolvency. In all other cases, however, the Bar had exclusive audience for the purpose of advocacy; and although it was the practice to receive briefs only from attorneys, and not from clients, yet there was no legal obligation to do so*. Now, the combined effect of the county court statutes is altogether to abolish these distinctions, to confound the functions of attorney and advocate, so far as the attorney is concerned, and virtually to exclude the Bar from practising in the inferior courts. The attorney may appear as an advocate, but counsel must be instructed by an attorney†, which, as we have seen, is not required, as a matter of right, in the superior courts. The consequence of thus making it essential that instructions should come from those who have an interest in acting as advocates themselves is, that very few counsel are employed in county courts; that there is a combination in some against such employment, or the formation of a Bar; and that attorneys actually employ other attorneys in the capacity of advocates. Again: except in a few instances, and then only by the practice of the court, pre-audience is not permitted to the Bar, and no fee whatever is to be allowed to counsel, save by leave of the county court judge—a power greater than that which is possessed by any of the judges of the superior courts.

It must be remembered that this system prevails not in inferior or small debt courts, properly so called, but in courts of extensive jurisdiction, whose decisions for the last four years have involved claims to the extent of two millions sterling a year. By consent, causes to any amount may be tried before these tribunals, and to the amount of 50*l.* without consent. (13 & 14 Vict. c. 61). A great portion of insolvency business is transferred to them, (10 & 11 Vict. c. 102); bankruptcy (with the exception of that branch which is administered by the London courts) is about to follow; and it is to be hoped that a large amount of equitable jurisdiction will also be given*.

From statements recently made by Lord Brougham†, we glean the following statistics of county courts:—There are sixty of these tribunals in England; the number of cases tried in them up to December, 1849, being a period of two years and nine months, was not less than 1,200,000, being at the rate of 433,000 a year; and if there was the same proportion during the rest of the period, the number of cases at the end of the four years would not be fewer than 1,680,000. Taking the cases at an average of 4*l.* or 5*l.*, the amount of property involved could not be less at the end of the four years than 8,500,000*l.* During five months of the operation of the measure which extended the jurisdiction of the courts from 20*l.* to 50*l.*, there have been 4000 cases between those amounts, and only two or three appeals have arisen out of them.

We believe that justice may be as cheaply, and at the same time more efficiently, administered by the employment of counsel in these courts. We are anxious for the functions of advocate and attorney to be kept distinct; and while on the one hand the attorney ought not to encroach upon the privileges of the Bar, upon the other the Bar ought not to act without the intervention of the attorney, except in criminal cases, where:

* According to Lord Brougham's last plan upon the subject, title rent-charges to the amount of 50*l.* are to be recovered by action in these courts, instead of leaving the poor remedy of distress. His Lordship has reserved his views as to conferring an equitable jurisdiction upon these courts.

† In the House of Lords, March 7, 1851.

* Doe d. Bennett v. Hale, (14 Jur., part 1, p. 830).

† 9 & 10 Vict. c. 95, s. 91.

of course, they should be ready to undertake the defence of those who are too poor to pay attorney and counsel, or either. In the bill introduced by Lord Brougham, and now pending in the House of Lords, for the amendment of the County Court Acts, there is a provision similar to one which we suggested in a former article*, and of which we warmly approve. His Lordship proposes, that in each district there should be two county courts, presided over on different days by the same judge—the first, or lower court, is to take cognisance of causes to an amount not exceeding 20*l.*, and there attorneys may practise as advocates; the second, or higher court, is for the trial of causes above 20*l.*, and there barristers only are to appear as advocates, but they are to be instructed by attorneys.

As a measure of justice to the Bar, and of benefit to the public, we trust that this provision will become the law of the land. It will place the two branches of the Profession upon the same footing which they occupied before county court legislation, and which ought not to have been disturbed. Unless, however, some exertions are made by those who are most interested in the proposed change, we entertain serious doubts whether it will be adopted.

A CORRESPONDENT has addressed us upon the subject of the decisions in *Woodhams v. Newman* (7 C. B. 654) and *Benwick v. Capper*, (Id. 669), to the effect that debts exceeding the amount over which county courts have jurisdiction, but reduced within that amount by a set-off, are not recoverable in those courts. He thinks that this is not according to the intention of the Legislature; but we do not agree with him in this view, inasmuch as, where there are cross demands, each claim is in itself a separate claim, and is not reduced to a balance, as in the case of payments. The party who is sued is not compelled to set off his debt; if he were so compelled, he would have no alternative but to submit his cross demand, however large the amount, to the decision of a county court judge, although he might prefer having it investigated before a superior tribunal. The effect also of requiring a set-off to be inquired into by the judges of county courts would be to give them an almost unlimited jurisdiction in the case of cross demands.

The Queen has been pleased to constitute and appoint Sir John Romilly, Knt., to the office of Master and Keeper of the Rolls and Records in Chancery, vacant by the surrender thereof by the Right Hon. Henry Lord Langdale.

The Queen has been pleased to appoint Matthew Davenport Hill, Esq., of Lincoln's-inn, to be one of the Commissioners of the Court of Bankruptcy, in the country, in the room of Ebenezer Ludlow, serjeant-at-law, deceased.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Edwin Boxall, of Brighton, Sussex; Parkin Wiglesworth, of Donington, Lincolnshire; Bruges Fry, of Cheddar and Axbridge, Somersetshire; Francis Green, of Carmarthen; Henry Fenwick, of Liverpool; Thomas Ety, of Liverpool.

LEGACY DUTY ON PROPERTY ADMINISTERED OUT OF THE UNITED KINGDOM.

It is a well-known rule of the House of Lords not to allow any former decision of the House to be controverted—never wittingly to overrule its own decision; and it was supposed that if, as sometimes happens, the House decides against principle, the only remedy is an act of Parliament. But it has been recently discovered that the constitution has provided a much more simple corrective of the errors of the Upper House, in the paramount jurisdiction of the Court of Exchequer. This discovery was made and turned to practical account in the case of *The Attorney-General v. Napier*, reported in our last number, (15 Jur., part 1, p. 253), where the Court of Exchequer overruled the decision of the House of Lords in *The Attorney-General v. Jackson*, (8 Bligh, 15; 2 Cl. & Fin. 48; 3 Tyr. 982). The full value of this precedent will better appear from a statement of the previous cases, shewing by what a strong body of authority that decision of the House of Lords was supported, which the Court of Exchequer, in its zeal for uniformity and simplicity, has not hesitated to set aside.

We must premise that the point decided in *The Attorney-General v. Napier* was, that legacy duty is payable on personal property administered in India by an administrator appointed by the Indian court, if the deceased was domiciled in Great Britain at the time of his death. The principle established by the cases prior to *The Attorney-General v. Napier* was, that the domicile was so far material that legacy duty could not, under any circumstances, be payable on the personal property of a person who was not domiciled in the United Kingdom at the time of his death; and that even when the deceased had a British domicile, the legacy duty did not attach upon personal estate administered and appropriated out of the country. It needed no authority to tell us this, in the extreme case of a testator dying in India with a British domicile, his whole property being in India, and administered there by Indian executors in favour of Indian legatees.

In *The Attorney-General v. Cockerell* (1 Price, 165) the deceased was a British subject domiciled in India at his death, and it was held, that his executors, who proved his will in India, and realised the principal part of his property there, and afterwards proved the will in England, and divided the residuary personal estate among his residuary legatees residing in England, were bound to pay duty on the whole of the residue so divided. In the argument for the Crown, the principal fact relied on was, that the executors had proved the will, and distributed the estate in England. The case was very well argued by the counsel for the executors, who relied on the domicile of the deceased, and insisted that a domicile in a colony was the same as a domicile in a foreign country, if the law in question was not a law of the colony. During the argument Richards, B., suggested that a foreign executor proving here would be bound to pay duty on the amount recovered here. The Court appears to have proceeded on the ground, that the executors had proved the will in England, and while in England had retained the residue for the benefit of the legatees. The decision was wrong, only because the domicile of the deceased was India.

In *The Attorney-General v. Beatson* (7 Price, 560) the testator, a native of Scotland, was domiciled in India, and was lost at sea on a voyage to England, made without any intention of changing his domicile. Letters of administration with the will annexed were granted to the Registrar of the Supreme Court at Madras, and afterwards one of the residuary legatees (who seems to have been the only legatee resident in Great Britain) obtained letters of administration from the Prerogative

Court of Canterbury. The Indian administrator paid the Indian debts and legacies, and paid the balance to the English administrator's agent at Madras. It was argued that the English administrator received the money as legatee, and not as administrator; but the Court held, that as he was administrator in England, and applied the estate in England, duty was payable on the total amount received by him from India. This decision was, according to the later authorities (prior to *The Attorney-General v. Napier*), wrong on the point of appropriation as well as on that of domicile.

In *Logan v. Fairlie* (2 Sim. & S. 284) the testator, being an officer in the service of the East India Company, was domiciled in India. His residuary legatees resided in England. The executor was resident in India, and proved the will there, and remitted part of the assets to his agent in England. A question arising as to the mutual rights of the legatees, a bill was filed against the executor's agent in England; and Sir J. Leach, V. C., held, that legacy duty was payable. He said, "If a testator die in India, and his personal estate be wholly in India, and his executor be resident there, and the will be proved there, and the executor remit to a legatee in England, or to some other person in England, for the specific use of the legatee, the amount of his legacy, I am of opinion that the legacy duty is not payable upon such remittance, inasmuch as the whole estate is administered in India, and the remittance is in respect of a demand which is to be considered as established there. But if a part of the assets of the testator is found in England, in the hands of the agent of such executor, without any specific appropriation, and a legatee in England institute a suit here for the payment of his legacy out of such unappropriated assets, then such assets are to be considered as administered in England, and the legacy duty is payable in respect of them." His Honor added, that the objection that there was no English administrator before the Court was not taken in time. This decision was afterwards reversed, on the ground that the facts did not justify the application of the principle laid down in the judgment.

In *Hay v. Fairlie* (1 Russ. 117) the testator's domicile was Indian, the executors proved the will in India, and invested a legacy there, the interest of which was remitted to their correspondents in England for the benefit of the legatee, who had come to England. On a suit for the appointment of a guardian and for maintenance out of the fund, it was held by Lord Gifford, M. R., that legacy duty was not payable, the executors in India having appropriated the legacy there.

In *Re Ewin* (1 Cr. & J. 151) the testator died domiciled in England, and his executor proved his will and administered his estate in England. It was held that legacy duty was payable on American, Austrian, French, and Russian stock, part of the estate administered by the executor, which funds were transferable, and the dividends payable in those respective countries only. Alexander, C. B., said, "It must be construed, I think, that this particular act, in speaking of legacies, is confined to Great Britain. Where persons die in India, whose estates, though the estates of British subjects, are distributed in India, and are delivered over to the several legatees in India, it has never been the practice, nor was it intended by this act of Parliament, that such estates should be chargeable with the duty. . . . But it can never be doubted that the act was meant to include the estate of a person domiciled in England, a subject of this country, an Englishman, whose executors are living in this country."

In *Re Bruce* (2 Cr. & J. 436) the testator was an American citizen domiciled in America, and had appointed an English executor, and bequeathed legacies to persons in England. A portion of his property was invested in the British funds at the time of his death,

and the executor proved the will in the province of Canterbury. It was held, that legacy duty was not payable on any part of the estate. Bayley, B., expressly left the question open, whether the legacy duty would be payable where the testator was a British subject not resident in Great Britain when he made his will [and died] in respect of property situate in this country.

In *Jackson v. Forbes*, (2 Cr. & J. 382; 2 Tyr. 364); *The Attorney-General v. Forbes*, (2 Cl. & Fin. 48); and *The Attorney-General v. Jackson*, (8 Bligh, 15; 3 Tyr. 982), (S. C.), the testator was a Scotchman by birth, and at the time of his death resided in India as a surgeon in one of the King's regiments. He had therefore retained his original British domicile. His will was proved in India, and the executors sent the residuary estate to England, and had it invested in their names in Consols, and afterwards came to England, where they were made defendants in a suit to determine the rights of the residuary legatees, and the fund was brought into court. It was held by the Court of Exchequer, on a case sent from the Court of Chancery, and it was ultimately decided by the House of Lords, that no legacy duty was payable. The will was never proved in England. It was stated in the argument, that there was no dispute about an Indian domicile, or an English domicile acquired by a residence in India; and *Monro v. Douglas* (5 Mad. 404) was cited. (2 Tyr. 377).

In the argument of *The Attorney-General v. Jackson*, in the House of Lords, the cases of *Re Ewin* and *Re Bruce* were cited and commented upon, so that the attention of the House was distinctly drawn to the question of domicile. The argument turned entirely on the fact of appropriation here or abroad, and Lord Brougham, C., and Lord Plunkett advised the House to affirm the decision of the Court of Exchequer, on the sole ground that the estate had not been administered in England; and they took great pains to distinguish *The Attorney-General v. Cockerell* and *The Attorney-General v. Beaton*, (in both of which the domicile was Indian), on the ground that there the legacies were appropriated in England by an English executor. There can be no question, therefore, that the House of Lords did not decide *The Attorney-General v. Jackson* on the ground that the testator's domicile was not British.

After the decision of *The Attorney-General v. Jackson*, in the House of Lords, the order of the Vice-Chancellor in *Logan v. Fairlie* was reversed by the Lords Commissioners of the Great Seal, (1 My. & C. 59), expressly on the authority of *The Attorney-General v. Jackson*, and on the sole ground that "there was an appropriation in India." Sir C. Peppys approved of the doctrine laid down by the Vice-Chancellor, and expressed his surprise that he should not have drawn a different conclusion from the facts to which he applied it. He said, "How it was that the late Master of the Rolls came to the conclusion he did, upon that state of circumstances, it may not be very easy to discover, but he states the rule to be drawn from the cases in *precisely the same terms on which it is considered as being now established by The Attorney-General v. Jackson*, namely, that if the property be severed from the corpus of the estate, and nothing remains but to pay it to the person whose right had been ascertained, it would then be exempted from the legacy duty; but if it remained in the hands of the executors unappropriated, and came to be administered in England, the duty would attach upon it." Not a word about domicile.

In *Arnold v. Arnold* (2 My. & C. 256) the testator's domicile and estate were Indian, but the estate was remitted by the Indian executors to executors who had proved the will in England, and was administered in England. It was held, overruling *The Attorney-General v. Cockerell* and *The Attorney-General v. Beaton*, that the duty was not payable, because the domicile was not

British. But the Lord Chancellor very strangely treated *The Attorney-General v. Jackson* as a case in point, although he had argued that case in the House of Lords, and had given a correct account of it in *Logan v. Fairlie*, adding, "It is quite impossible to suppose that the liability of legatees to the duty can depend upon the act of the executor in proving or not proving the will in this country, the question being, not whether there be probate or letters of administration in England, but whether, within the meaning of the act of Parliament, the property out of which the legacies are payable be property of a person which passes by the will of that person within the meaning of the act." Yet we have seen that the place of appropriation, not that of domicile, was alone considered, as it was alone in question, in *The Attorney-General v. Jackson*; that Lord Cottenham had himself followed that case as an authority on the question of appropriation in *Logan v. Fairlie*; and that, so far as domicile was concerned, the circumstances of the two cases were wholly different.

Lastly, in *Thomson v. The Advocate-General* (1 Cl. & Fin. 1) it was held, that under no circumstances could legacy duty be payable on the personal estate of a testator or intestate who died in a colonial or foreign domicile. Tindal, C.J., in delivering the opinion of the judges, and Lord Brougham, treated *The Attorney-General v. Jackson* as an authority in point. Lord Brougham, having, in *The Attorney-General v. Jackson*, first treated *The Attorney-General v. Cockerell* as a bad decision, and afterwards approved of it, now again condemned that case as being wholly inconsistent with *The Attorney-General v. Jackson*, though, as we have seen, every material circumstance was different. But Lord Lyndhurst, C., was evidently aware that *The Attorney-General v. Jackson* was not and could not have been decided on the ground of domicile, and did not rely on it.

From this review of the cases, it appears that the effect of domicile has not always been kept in view; that several cases, which might have been decided on the simple ground that the deceased died in a foreign domicile, were decided on other grounds; and that in two cases the decisions were erroneous, because the domicile was not regarded. It appears, also, that the facts in *The Attorney-General v. Jackson*, and the point actually decided and intended and professed to be decided in that case, though perfectly clear, have since been misunderstood; but it is not the less indisputable, that in *The Attorney-General v. Jackson* the domicile was British, and was known to be British, and that the sole point decided and intended to be decided was, that the appropriation of the estate in India prevented the legacy duty from being payable.

It is rather startling, after this, to find the effect of that case thus stated by Alderson, B., in *The Attorney-General v. Napier*:—"The Attorney-General v. Jackson, upon the facts, was decided wrong; but the rule of law laid down in that case was upon the supposition that the party was domiciled in India, and that the legacy duty in that case could not attach upon property which was situated in England at the time, because they said there that the property in England followed the domicile or the residence of the party in India." We have searched the reports of the case of *The Attorney-General v. Jackson* without finding the slightest trace of any such dictum.

But for the case of *The Attorney-General v. Napier*, we should have thought the cases of *The Attorney-General v. Jackson* and *Thomson v. The Advocate-General* perfectly consistent. That an English domicile is one essential to the liability to legacy duty is settled by the latter case—that an appropriation or administration of the estate in Great Britain by an executor or administrator, recognisable as such in Great Britain, is another essential, was settled by the former case, in ac-

cordance with the uniform tenor of the earlier cases until it was unsettled by the Court of Exchequer. In this there is evidently no conflict of principle. The act of Parliament is held to contemplate exclusively the estates of persons who die in a British domicile, and acts of administration performed by personal representatives within the same limits. That the House of Lords, in deciding a case wholly different from that of *Jackson v. Forbes*, misunderstood the principle of the former case, while they professed to follow it, might furnish a topic of objection to the soundness of their later decision, but can scarcely be allowed to invalidate the very decision which they treated as an authority.

Reviews.

A Treatise on the Law and Practice of Agricultural Tenancies, with Forms and Precedents. By GEORGE WINGROVE COOKE, of the Middle Temple, Barrister at Law, Author of "A Treatise on the Law relating to Inclosures and Rights of Common," &c. 8vo., pp. 558. [Stevens & Norton.]

In the present transition state of agricultural practice, this is a very opportune publication. But, unlike many well-timed productions of the press, it is also well matured—the fruit of sufficient legal learning, and more than ordinary practical judgment and industry. If to the author's own account of his design we add that the performance exceeds the promise, we shall have given our readers a just notion of the nature and value of the work.

"Very frequent employment by the Tithe Commission, to adjudicate upon the prescriptions that passed in review before that board, has taken me during the last ten years into every part of the kingdom, and placed me in contact with most of the practical agriculturists of England. I have attempted to utilise my opportunities by the production of the following work.

"Written contracts, whether in the form of agreements or leases, are grown into more general, but still not into very general, use throughout the kingdom. The ordinary class of farmer, with not too much capital, no exuberant enterprise, and little confidence in new systems, but with considerable shrewdness and great talent for bargaining, prefers the elasticity of a parol contract. Reductions of rent, allowances for improvements, and the lax culture obligations of the custom of the country, are all opportunities for constant haggling, and, unless the agent be a very shrewd, hard man, for constant petty victories. No wonder that a simple verbal tenancy is preferred by this class, to security for improvements they never intend to make, and covenants for good husbandry precisely defined."

"Gradually, however, cunning must give place to wisdom; and this class of farmers must surrender to strangers, or must be succeeded by sons who have learned the necessity of an exact demarcation of their rights and obligations. Little advantages gained, small reductions, occasional allowances, are as nothing when compared with the vast yearly difference of produce raised from the same land by a farmer who drains and highly manures, and a farmer who does not. Yet he must be too improvident a man to be a good farmer who should invest in the land capital sufficient for high cultivation, without some security that a change in the ownership of the estate (whatsoever well-founded confidence he may have in the present landlord) may not at any moment bring a notice to give up farm, improvements, and capital, and leave it all, uncompensated, to a stranger. If the modern system of husbandry is to progress until it becomes universal, precise written contracts must

'extend over the land with an equal pace. It will be conceded that a species of contract, which thus bids fair to control the management of all the land of England, deserves more special consideration than it could receive in those general works whereof it formed but a very subordinate subdivision.

"During the years which have elapsed since the idea of a book upon this subject was formed, and the collection of materials was commenced, I have applied to nearly all, and been refused aid by no one of the well-known masters of the very ancient art, but very modern science, of agriculture. If I have failed in the use of my materials, the failure is my own; for copious stores of information were always at my command. The few exceptions where inquiries were unavailing were in those lagging counties where little of agriculture was to be learned, and no proficient, even in the art, were to be found.

"If I do not here record my obligations to individuals, it is because the catalogue would prove too long. The names, however, will be found scattered throughout the work. A lawyer's opinion upon matters agricultural would be justly rejected as worthless; and I have, therefore, advanced no agricultural proposition without an agricultural authority. Of this portion of my work nothing is my own but the labour of collection.

"In dealing with the legal portion of the subject, I have not pretended to supersede the necessity of consulting, in all intricate cases, the various treatises upon the law of landlord and tenant, and upon conveyancing, which are now in established use. I have taken only those general principles of law which were necessary to my purpose, hung upon them all the agricultural cases which the books contain, and brought down the decisions to the latest numbers of the reports.

"The statement of district customs occupies much space, and has been a laborious and unsatisfactory work. It has been attempted, and abandoned as impracticable, by great authorities; and I must confess that I am not satisfied with my own production. But this shifting and uncertain mass of tradition is at present the common law of agriculture. The work would have been obviously defective without some attempt to ascertain it; and the epitome given is the statement of land agents and surveyors first in character and experience in their respective districts. Except in the few counties where such statements could not be obtained, the vagueness, if any, is not attributable to the statement, but exists in the custom. Very much will have been gained if the sketch I have given shall induce landlords and tenants to exclude so uncertain a rule from all their contracts.

"In discussing the stipulations of the tenancy agreement and the covenants of the farming lease, I have paid especial attention to the great points of produce rents, culture covenants, tenant right, and the expediency of terms of years—obtruding no theories and giving expression to no ideas of my own, but always gathering the facts and opinions from those whose experience gives them authority. I am encouraged to hope that the information collected upon these subjects will render them less a mystery to the draughtsman than they have hitherto been.

"The precedents, in addition to the common practical forms submitted upon my own responsibility, include almost every form which has been recently introduced by those landlords who are so energetically occupied in the improvement of agriculture. But as the value of any new form of contract must obviously depend upon the confidence which others have in the liberality and capacity of its author, I have seldom thought it advisable to produce a *new* precedent, unless allowed to mention the estate to which it has been applied. In the collection there are many old forms,

'and some which are generally objectionable and unfair, although containing occasional stipulations that are practically useful; but it was unnecessary, and indeed obviously impossible, to cite an authority for a precedent, except as a pledge for its fairness, and an inducement to its adoption.

"Pains have been taken to render the book convenient as a work of reference; and although it may rarely happen that any one of the precedents can exactly fit all the exigencies of a particular case, yet it is hoped that the index will seldom be searched without offering a form of the special stipulation required."

The subject is thus divided:—Chap. 1. Of a tenancy at will. Chap. 2. Of a tenancy from year to year created by parol. Chap. 3. Of the rights and obligations attached by law to parol yearly tenancies. Chap. 4. Of the custom of the country. Chap. 5. Of tenancies from year to year created or governed by written instruments. Chap. 6. Of the instruments of letting from year to year. Chap. 7. Forms of instruments of letting from year to year. Chap. 8. Of leases for a term of years. Chap. 9. Forms of leases for terms of years. Chap. 10. Of the stamp duties on instruments of letting farms.

In an appendix, Mr. Cooke wastes some good paper and print on the stat. 8 & 9 Vict. c. 124, "An Act to facilitate the granting of certain Leases." In this, and in giving a form of a lease under that act, his usual discretion has deserted him.

Among the precedents are occasionally some stipulations ill-conceived, or ambiguous in point of law, which it would have been better either to modify, or at least to mark with some note of dissent or doubt; and to the tillage and management clauses in the various forms, references to those parts of the book in which the merits of the clauses are discussed might have been advantageously appended. But these are slight blemishes.

REGULA GENERALIS.

ORDER OF COURT.

Saturday, March 22, 1851.

WHEREAS it is expedient that some of the fees heretofore payable in respect of certain proceedings in the Court of Chancery should be abolished, and that others should be reduced in amount, now I, the Right Hon. THOMAS BARON TRURO, Lord High Chancellor of Great Britain, with the advice and concurrence of the Right Hon. HENRY BARON LANGDALE, Master of the Rolls, and the Right Hon. the Vice-Chancellor Sir JAMES LEWIS KNIGHT BRUCE, do hereby order and direct, that from and after the 31st day of March, 1851, such of the fees heretofore received and taken by the clerks to the Masters in Ordinary, the Taxing Masters and their clerks, the Registrars and their clerks, the Master of the Reports and Entries and his clerks, the Clerk of Affidavits and Assistant-clerks of Affidavits, the Examiners and their clerks, and the Clerks of Records and Writs and their clerks, as are set forth in the first Schedule hereto, shall be and the same are hereby abolished; and that such of the fees heretofore received and taken by the clerks of the Masters in Ordinary, the Registrars and their clerks, the Taxing Masters and their clerks, and the Clerk of Affidavits and Assistant-clerks of Affidavits, as are mentioned in the second Schedule hereto, shall be reduced in amount, and in lieu thereof the fees set forth in the said second Schedule shall be received and taken respectively by the clerks of the Masters in Ordinary, the Registrars and their clerks, the Taxing Masters and their clerks, and the Clerk of Affidavits and Assistant-clerks of

Affidavits, and shall be by them severally and respectively paid into the Bank of England, in the name of the Accountant-General, to be placed to the credit of the account intituled "The Suitors' Fee Fund Account."

FIRST SCHEDULE ABOVE REFERRED TO.

Fees to cease on and after the 31st day of March, 1851.

In the Offices of the Masters in Ordinary.

| | £ | s. | d. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|----|
| For investigating every title brought in before the Master to be settled, and perusing the abstract thereof, upon the first 25 folios thereof | 0 | 6 | 8 |
| Upon every succeeding 25 folios thereof | 0 | 8 | 4 |
| For every advertisement issued by the Master | 1 | 1 | 0 |
| For every peremptory advertisement for the sale of property with the approbation of the Master, in addition to the foregoing fee, to be repaid if property shall not be offered for sale | 3 | 0 | 0 |
| For signing the allowance of every deed, recognisance, set of interrogatories, account, or other document allowed and signed by the Master | 0 | 5 | 0 |
| For every order upon a warrant | 0 | 5 | 0 |
| For perusing and settling the draft of every deed brought before the Master to be settled, (except lease for a year), where such deed shall not exceed 30 folios | 1 | 0 | 0 |
| Where such deed shall exceed 30 folios, and not exceed 50 folios | 1 | 10 | 0 |
| And where such deed shall exceed 50 folios, and not exceed 100 folios | 2 | 10 | 0 |
| And where such deed shall exceed 100 folios | 3 | 0 | 0 |
| Fee on preparing recognisance | 1 | 1 | 0 |
| For an examination fee on each witness, exclusive of oath | 0 | 5 | 0 |
| For examining ingrossment of deeds, each skin.... | 0 | 3 | 4 |
| For comparing deeds, books, and papers with the schedule, on their being deposited or delivered out, where the schedule shall not amount to 50 folios | 0 | 6 | 8 |
| Where the schedule shall amount to 50 folios | 0 | 13 | 4 |
| For expunging scandal or impertinence out of every record or document referred, on every such record or document | 1 | 0 | 0 |

In the Offices of the Tasing Masters.

| | | | |
|---------------------------------------------------------------------------------------------|---|---|---|
| For signing the allowance to every set of interrogatories, account, or other document | 0 | 5 | 0 |
| For an examination fee on each witness, exclusive of oath | 0 | 5 | 0 |

In the Registrar's Office.

| | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|
| For every certificate signed by the registrar for the sale or transfer of annuities, stock, or Exchequer bills, or for delivery out of the latter | 0 | 2 | 6 |
| For every other certificate signed by the registrar.. | 0 | 1 | 0 |
| For every copy of minutes of any decree or order, per side | 0 | 1 | 0 |
| For every exhibit proved vivâ voce in court | 0 | 2 | 6 |
| For entering every plea or demurrer | 0 | 1 | 0 |
| For setting down causes, exceptions, further directions, pleas, and demurrers, each (except for setting down causes on the registrar's days) | 0 | 1 | 0 |
| For setting down causes on the registrar's days.... | 1 | 1 | 0 |

In the Report Office.

| | | | |
|------------------------------------------------------------------------------------------------------------------|---|---|---|
| For every attendance with a report at the Masters' offices, for any material alteration to be made therein | 0 | 6 | 8 |
|------------------------------------------------------------------------------------------------------------------|---|---|---|

At the Entering Seats.

| | | | |
|------------------------------------------------|---|---|---|
| For every certificate on Master's report | 0 | 1 | 0 |
| For entering every attachment | 0 | 0 | 2 |

In the Affidavit Office.

| | | | |
|------------------------------------------------------|---|---|---|
| For registering every affidavit, for each side | 0 | 0 | 4 |
| For expunging impertinence from an affidavit | 1 | 0 | 0 |

In the Examiner's Office.

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|----|
| For every certificate signed by examiner | 0 | 3 | 4 |
| For drawing every folio of depositions, where no office copy taken, when two terms shall have elapsed without the examination of any witnesses | 0 | 0 | 10 |
| For every interrogatory added | 0 | 1 | 0 |
| For every subpoena notice | 0 | 1 | 0 |

In the Record and Writ Clerks' Office.

| | | | |
|--------------------------------------------------------------------------------|---|----|---|
| For sealing every dedimus to take an answer | 0 | 10 | 0 |
| For sealing of every special dedimus by order of Court | 0 | 18 | 0 |
| For filing every answer or demurrer | 0 | 10 | 0 |
| For every consent | 0 | 7 | 0 |
| For filing every note | 0 | 7 | 0 |
| For filing replication | 0 | 10 | 0 |
| For entering every memorandum of service of copy bill on every defendant | 0 | 7 | 0 |

THE SECOND SCHEDULE ABOVE REFERRED TO.

Fees to be received and taken by the Clerks to the Masters in Ordinary.

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|
| For entering accounts of receivers, consignees, and committees in each book, (in lieu of the present fee of 6d. per folio), per folio | 0 | 0 | 4 |
| For entering accounts of parties accounting before a Master in a book, if required, (in lieu of the present fee of 6d. per folio), per folio | 0 | 0 | 4 |

Fees to be received and taken by the Tasing Masters and their Clerks.

| | | | |
|-----------------------------------------------------------------------------------------------|---|----|---|
| Per-centage on amount of every bill of costs as taxed, in lieu of the present fee of 3l. | 2 | 10 | 0 |
|-----------------------------------------------------------------------------------------------|---|----|---|

Fees to be received and taken by the Registrars and their Clerks.

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|---|
| For every order for payment of money out of court, where the sum or sums thereby directed to be paid shall exceed 100l., and shall not exceed in the whole 500l.; | | | |
| And for transfer out of court or sale of any sum or sums of Government stock or South Sea Annuities, (excepting Long Annuities or annuities for terms of years), when the sum or sums thereby directed to be transferred or sold shall exceed 100l., and shall not exceed in the whole 500l.; | | | |
| And for payment out of court of any annuity or annuities exceeding 5l., and not exceeding in the whole 25l. per annum, or of any interest or dividends upon stock or annuities exceeding 5l., and not exceeding in the whole 25l. per annum; and for no other purpose, in lieu of the present fee of 2l. 10s. | 1 | 0 | 0 |
| For every office copy thereof, in lieu of the present fee of 1l. | 0 | 10 | 0 |
| For every other order for payment or transfer out of court, in lieu of the present fee of 2l. 10s. .. | 2 | 0 | 0 |

Fees to be received and taken by the Clerk of Affidavits and Assistant Clerks of Affidavits.

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------|---|---|---|
| For every office copy of an affidavit, (in lieu of the present fee of 4d. per side, and 4d. per side for registering), per folio | 0 | 0 | 4 |
|----------------------------------------------------------------------------------------------------------------------------------------|---|---|---|

(Signed) **TRURO, C.**
LANGDALE, M. R.
J. L. KNIGHT BRUCE, V. C.

J. COLLIS, Reg.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—
Sir William Payne Gallwey, Bart., for the borough of Thirsk, in the room of John Bell, Esq., deceased; The Hon. Charles Frederick Ashley Cooper Ponsonby, for the borough of Dungarvan, in the room of the Right Hon. Richard Lalor Sheil, who has accepted the office of Steward of her Majesty's Children Hundreds.

London Gazettes.

TUESDAY, MARCH 25.

BANKRUPTS.

ROBERT AVANN, Canterbury, Kent, fellmonger, dealer and chapman, April 4 and May 5 at 12, Court of Bankruptcy, London: Off. Ass. Cansan; Sols. Furleys & Mercer, Canterbury; Venour, 5, Gray's-inn-square.—Petition dated March 18.

ROBERT WESTMACOTT, Stuart's-grove Nursery, Fulham-road, Chelsea, Middlesex, nurseryman, seedsman, and florist, April 4 at half-past 1, and May 5 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Holcombe, 72, Ebury-street, Pimlico, and 30, Chancery-lane.—Petition dated March 21.

THOMAS BRITTEN, Suffolk-lane, Cannon-street, London, wine merchant, dealer and chapman, April 1 at half-past 1, and May 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sewell & Co., 51, Old Broad-street.—Petition filed March 22.

ALLEN COLYER, Dover, Kent, jeweller, April 1 at 1, and May 1 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Harris, Moorgate-street.—Petition filed March 15.

RICHARD JACKSON, Selby, Yorkshire, tanner, dealer and chapman, April 14 and May 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Weddall, Selby; Bood & Barwick, Leeds.—Petition dated March 19.

AARON CROSSFIELD, Ty Mawr, Lanworne, Glamorgan-shire, coal miner and merchant, and Newport, Monmouth-shire, common brewer, dealer and chapman, April 9 and May 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Messrs. James, Merthyr Tydvil, Glamorgan-shire; Bevan, Bristol.—Petition filed March 20.

JOHN STEELE, Spotland-bridge, near Rochdale, Lancashire, brewer, dealer and chapman, April 10 and May 2 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Hitchcock & Co., Manchester.—Petition filed March 22.

MEETINGS.

Alfred Moore, South-wharf, South-wharf-road, and 24, South-wharf-road, Paddington, Middlesex, stone merchant, April 9 at 12, Court of Bankruptcy, London, and. ac.—*Fras. Masters*, Reading and Newbury, Berkshire, plumber, April 9 at 1, Court of Bankruptcy, London, and. ac.—*W. Shropshall* the younger, Congleton, Cheshire, miller, April 7 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*J. Sherrock*, Totterd-park, Lancashire, licensed victualler, April 7 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Peter Thompson* the elder, Osnaburgh-place, New-road, St. Pancras, Middlesex, and Commercial-road, Limehouse, Middlesex, carpenter, April 16 at 1, Court of Bankruptcy, London, div.—*Henry Bennett*, Chatham, Kent, corn dealer, April 17 at 11, Court of Bankruptcy, London, div.—*Geo. M. Smith*, Iron-bridge, Shropshire, bookseller, April 17 at 12, District Court of Bankruptcy, Birmingham, div.—*Wm. Laycock*, Liverpool, iron merchant, April 16 at 11, District Court of Bankruptcy, Liverpool, div.—*John Blain*, Liverpool, stationer, April 16 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Charles Wall, Southampton-street, Pentonville, Middlesex, baker, April 16 at 11, Court of Bankruptcy, London.—*Andrew Glass*, Queen's-road, Bayswater, Middlesex, baker, April 12 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

James Herbridge, Ialip, Oxfordshire, miller.—*George Augustus Clare*, Mount-street, Grosvenor-square, Middlesex, house decorator.—*Jules Breston*, King Edward-road, Hackney, Middlesex, insurance broker.—*Thomas Neale*, Reigate and Dorking, Surrey, banker.—*John Jowett* the elder, *John Jowett* the younger, and *Jeremiah Jowett*, Preston and Longridge, Lancashire, stone masons.—*Thomas Newell*, Rhosdda, Collyfyn, Llansanffraid, Montgomeryshire, horse dealer.—*James*

Amos, Coventry, Warwickshire, trimming manufacturer.—*Robert Gibson*, York, ironmonger.

SCOTCH SEQUESTRATION.

Archibald Taylor, Edinburgh, upholsterer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Price, Bulth, Brecknockshire, blacksmith, April 17 at 10, County Court of Brecknockshire, at Bulth.—*E. Evans*, Llanvase, Brecknockshire, out of business, April 14 at 10, County Court of Brecknockshire, at Brecknock.—*John Jones*, Merthyr Tydvil, Glamorgan-shire, out of business, April 10 at 10, County Court of Glamorgan-shire, at Merthyr.—*David Llewellyn*, Pontypridd, Glamorgan-shire, carpenter, April 7 at 10, County Court of Glamorgan-shire, at Cardiff.—*Thomas Broderick*, Swansea, Glamorgan-shire, draper, April 2 at 10, County Court of Glamorgan-shire, at Swansea.—*Thos. Lence Phillips*, Merthyr Tydvil, Glamorgan-shire, assistant surgeon, April 10 at 10, County Court of Glamorgan-shire, at Merthyr.—*John Loader*, Deansgate, within Manchester, out of business, April 4 at 2, County Court of Lancashire, at Manchester.—*Robert Brown*, Hulme, Manchester, commercial traveller, April 4 at 2, County Court of Lancashire, at Manchester.—*William Coble*, East Dereham, Norfolk, beer-house keeper, April 29 at 10, County Court of Norfolk, at East Dereham.—*Joseph Marfleet*, Mainfleet All Saints, Lincolnshire, machine maker, April 9 at 10, County Court of Lincolnshire, at Spilsby.—*Jeremiah Porter*, Chorley, Lancashire, out of business, April 17 at 10, County Court of Lancashire, at Chorley.—*William Lane*, Upton-upon-Severn, Worcestershire, saddler, April 11 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*James Glasville*, Powick, Worcestershire, out of business, April 11 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Thomas Smith*, Cheltenham, Gloucestershire, painter, April 29 at 10, County Court of Gloucestershire, at Cheltenham.—*Thomas Nelson*, Havenside, Hedon, Yorkshire, out of business, April 19 at 11, County Court of Yorkshire, at Hedon.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 9 at 11, before the CHIEF COMMISSIONER.

William Clayton, Catherine-road, Notting-hill, Kensington, Middlesex, foreman to a carman.—*James Wright*, Shropshire-yard, Pancras-street, Tottenham-court-road, coachmaker.—*Thomas Taylor*, Cumberland-row, King's-cross, Middlesex, ham and beef shopkeeper.—*George Light* the younger, York-street, Westminster, Middlesex, broker.—*Abraham Matthews*, Wellington-terrace, Liverpool-road, Islington, Middlesex, saddler.—*John Hopkins*, High-street, Portland-town, St. John's-wood, Middlesex, chessmonger.

April 9 at 10, before Mr. Commissioner LAW.

Sidney Hall Asketon, Mansfield-street, Kingsland-road, Shoreditch, Middlesex, pocket-book maker.—*William Robert Coomer*, Bridge-road West, Battersea, Surrey, bricklayer.—*William Budgen*, Bayton-place, Walworth-common, Surrey, sofa maker.

Saturday, March 22.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Henry Hart, Birmingham, gunmaker, No. 71,566 C.; W. H. Reece, assignee.—*Samuel Penn* the elder, Birmingham, steam-engine boiler manufacturer, No. 73,036 C.; William Joshua Irwin, assignee.—*John Tattersall*, Salford, Lancashire, grocer, No. 73,089 C.; Robert Gray, assignee.—*Richard John Ross Ball*, Gravesend, Kent, pilot, No. 73,228 C.; George Frederick Cobham, assignee.—*George James*, West Witton, near Leyburn, Yorkshire, shopkeeper, No. 73,305 C.; Leonard Cooke, assignee.—*James Brown*, Selby, Yorkshire, labourer, No. 73,335 C.; William Goulton, assignee.—*John Lockyer*, Rimpton, Somersetshire, butcher, No. 73,342 C.; J. Cairnes, assignee.—*James Peers*, Stockport, Cheshire, hat manufac-

turer, No. 73,379 C.; William Booth, assignee. — *Robert M'Laren*, Sayner's-cottage, High-st., Old Peckham, Surrey, gardener, No. 61,979 T.; John Guttridge, assignee.

Saturday, March 22.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Robert Burdett, Phillimore-terrace, Kensington, Middlesex, not in any trade: in the Queen's Prison. — *Edward Fowler*, Margaret-st., Cavendish-square, Middlesex, agent for the purchase and sale of horses: in the Debtors Prison for London and Middlesex. — *Wm. Wright*, Zion-square, Whitechapel, Middlesex, gun polisher: in the Debtors Prison for London and Middlesex. — *Cornelius Osborn*, Chipping Ongar, Essex, farmer: in the Gaol of Horsemonger-lane. — *Hubert Daefner*, Great Prescott-street, Goodman's-fields, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex. — *Mark Collins*, Dudley-street, St. Giles's, Middlesex, hatter: in the Debtors Prison for London and Middlesex. — *Jos. Wm. Hugman*, Shoemakers'-row, Broadway, Ludgate-hill, London, tallowchandler: in the Debtors Prison for London and Middlesex. — *Wm. Brandon*, Goldsworthy-terrace, Rotherhithe, Surrey, market gardener: in the Gaol of Horsemonger-lane. — *Richard Tackle*, Lyndhurst-place, Creek-road, Deptford, Kent, baker: in the Queen's Prison. — *George Fuller*, Crosby-row, Walworth, Surrey, cheesemonger: in the Gaol of Horsemonger-lane. — *Samuel Bond*, Rose and Crown-court, Moorfields, London, bootmaker's assistant: in the Debtors Prison for London and Middlesex. — *Samuel Dyke*, Wrotham, Kent, licensed victualler: in the Debtors Prison for London and Middlesex. — *Thos. Watkins*, Cleveland-st., Mile-end-road, Middlesex, manager of the business of a beer-shop keeper: in the Queen's Prison. — *James Barber*, Wine-office-court, Fleet-street, London, licensed retailer of beer: in the Gaol of Horsemonger-lane. — *Henry Davison*, Newport-court, Newport-market, Soho, Middlesex, plumber: in the Debtors Prison for London and Middlesex. — *Wm. Carter*, Swavesey, Cambridgeshire, maltster: in the Gaol of Cambridge. — *Joseph Emdin*, Bristol, law stationer: in the Gaol of Bristol. — *Jas. Smith*, Lancaster, contractor: in the Gaol of Lancaster. — *T. Colledge*, Bishopwearmouth, Durham, mariner: in the Gaol of Durham. — *Christopher Currah*, Edmondbyers, Durham, gamekeeper: in the Gaol of Durham. — *William Lloyd*, Chester-le-street, Durham, assistant to a surgeon: in the Gaol of Durham. — *Margaret Parkes*, Rhyl, Flintshire, licensed victualler: in the Gaol of Flint. — *John S. Lewis*, Tavistock, Devonshire, grocer: in the Gaol of St. Thomas the Apostle. — *Joseph Bowker*, Chowbent, Lancashire, fly maker: in the Gaol of Lancaster. — *Wm. Crickmore*, Broome, near Loddon, Norfolk, husbandman: in the Gaol of Norwich. — *George Robotham*, Longton, Stoke-upon-Trent, Staffordshire, carrier: in the Gaol of Stafford. — *John Roberts*, Hereford, labourer: in the Gaol of Hereford. — *Thomas F. Theed*, Borough-green, Cambridgeshire, surgeon: in the Gaol of Cambridge. — *James F. Airey*, Preston, Lancashire, tailor: in the Gaol of Lancaster. — *Thos. Adamson*, Kirkdale, Liverpool, saddler: in the Gaol of Lancaster. — *Thomas Arnold*, West Derby, near Liverpool, retail dealer in ale: in the Gaol of Lancaster. — *John B. Brierley*, Prestwick, near Manchester, provision dealer: in the Gaol of Lancaster. — *James Cross*, Turbetsy, Ely, Cambridgeshire, boatman: in the Gaol of Cambridge. — *John Dean*, Manchester, grocer: in the Gaol of Lancaster. — *Joseph Hind*, Manchester, grocer: in the Gaol of Lancaster. — *Martha Hill*, spinster, Liverpool: in the Gaol of Lancaster. — *Francis Moore*, Wolverhampton, Staffordshire, farmer: in the Gaol of Stafford. — *Wm. H. Owen*, Blackpool, Lancashire, lodging-house keeper: in the Gaol of Lancaster. — *Christopher Robinson*, Manchester, plumber: in the Gaol of Lancaster. — *Walter Spink*, Woolpit, Suffolk, innkeeper: in the Gaol of Bury St. Edmund's. — *James Stevens*, Hulme, Manchester, warehouseman: in the Gaol of Lancaster. — *T. J. Stubbs*, Hulme, Manchester, silk manufacturer: in the Gaol of Lancaster. — *Joseph Sison*, Manchester, licensed victualler: in the Gaol of Lancaster. — *Sidney Smithson*, Chorlton-upon-Medlock, Manchester, silk manufacturer: in the Gaol of Lancaster. — *Joseph Thyer*, Altrincham, Cheshire, plumber: in the Gaol of Chester. — *Alfred F. Trigg*, Hulme, Manchester, commission agent: in the Gaol of Lancaster. — *Aquila Taylor*, Manchester, cotton waste dealer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 8 at 11, before the CHIEF COMMISSIONER.

Charles Simmons, Thame, Oxfordshire, barman.

April 9 at 10, before Mr. Commissioner LAW.

Edward Wright, Bennett-st., Fitzroy-sq., Middlesex, out of business. — *Wm. Chester*, King-street, Turk-st., Bethnal-green, Middlesex, out of business.

April 10 at 11, before Mr. Commissioner PHILLIPS.

Benjamin Nuttman, Short-st., New-cut, Lambeth, Surrey, engineer. — *Edward Burtis*, Langley-place, Commercial-road East, Middlesex, baker. — *William Kelly*, Laburnum-terrace, Kingsland-road, Middlesex, out of business. — *Richard Dry*, North-terrace, Mount-gardens, Westminster-road, Surrey, out of business. — *William Bowker*, Green-st., Turner-st., Whitechapel-road, Middlesex, carrier.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, April 8 at 10.

G. Robotham, Longton, Stoke-upon-Trent, in no business.

At the County Court of Carmarthenshire, at CARMARTHEN, April 15 at 2.

Rees Thomas, Penybanc, Mothvey, farmer. — *Saml. Davis*, Merthyr, innkeeper.

At the County Court of Devonshire, at EXETER, April 12 at 10.

Frederick H. B. Phillips, Plymouth, lieutenant in her Majesty's Royal Artillery. — *Hugh S. Colquhoun*, Tiverton, following no occupation. — *John S. Lewis*, Tavistock, grocer.

INSOLVENT DEBTOR'S DIVIDEND.

Randle Bower, Woodhead, near Mottram, Longdendale, Cheshire, cattle dealer, March 25, Earle's, Manchester: 18s. 11½d. in the pound.

FRIDAY, MARCH 23.

BANKRUPTS.

JOHN GLASSPOOL, Regent-street, Middlesex, ladies' boot and shoe maker, April 8 and May 6 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. A'Beckett & Symson, 7, Golden-sq. — Petition filed March 24.

WALTER M'DOWALL, Little Queen-st., Lincoln's-inn-fields, Middlesex, printer, April 5 at 11, and May 9 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Edmunds, 12, South-square, Gray's-inn. — Petition dated March 26.

HENRY CHRISTOPHER BILLING, Cheapside, London, silversmith and jeweller, dealer and chapman, April 7 at 11, and May 12 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Peddell, 142, Cheapside. — Petition dated March 26.

GEORGE GARNHAM, Rougham, Suffolk, farmer and banker, April 11 at half-past 12, and May 9 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Wayman & Co., Bury St. Edmund's; Hensman, 8, Basing-lane, Bow-lane, Cheapside. — Petition dated March 22.

HENRY MEDWORTH, Wisbech St. Peter, Cambridgeshire, grocer, dealer and chapman, April 5 at half-past 1, and May 9 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Watson, Wisbech; Abbott & Co., 8, New-inn, Strand. — Petition dated March 26.

SAMUEL TURNER JAY, Badley, Suffolk, miller, dealer and chapman, April 9 at half-past 1, and May 9 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Archer, Stowmarket, Suffolk; Trinder & Eyre, 1, John-st., Bedford-row. — Petition filed March 24.

JOHN POWLES LAND, South Tawton, Devonshire, dealer in seeds, dealer and chapman, April 15 at 1, and May 6 at 11, District Court of Bankruptcy, Exeter; Off. Ass. Hirtzel; Sols. Fulford, North Tawton; Tanner, Crediton; Stogdon, Exeter. — Petition filed March 21.

RICHARD PEGG, Brighton, Sussex, wine merchant, April 14 at half-past 1, and May 10 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Bridger & Collins, 37, King William-st., City.—Petition dated March 21.

WILLIAM GRIFFITHS WILLIAMS, Carnarvon, woollen and linen draper, dealer and chapman, April 10 and May 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Williams, Liverpool.—Petition filed March 26.

SAMUEL ARMSTRONG, Bolton-le-Moors, Lancashire, glass and china dealer, dealer and chapman, (also now or lately carrying on business at Bolton-le-Moors with Thomas Gee, under the style or firm of Gee & Armstrong, as glass manufacturers), April 14 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Marsland, Bolton-le-Moors.—Petition filed March 15.

ROBERT MILLER and ALEXANDER STREET, Lancaster, builders and contractors, dealers and chapman, April 7 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Blackhurst, Preston.—Petition filed March 25.

MEETINGS.

George J. Galabin, Bartholomew-close, London, April 24 at half-past 1, Court of Bankruptcy, London, last ex.—*Lionel P. Goldsmid*, King-st., Holborn, Middlesex, importer of watches, April 16 at 12, Court of Bankruptcy, London, last ex. and aud. ac.—*James Atkinson*, Newcastle-upon-Tyne, victualler, April 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Thos. J. Edwards*, King-st., St. George's, Bloomsbury, Middlesex, dressing-case maker, April 11 at 11, Court of Bankruptcy, London, aud. ac.; April 25 at 11, div.—*C. Watt*, Southampton-street, Pentonville, Middlesex, baker, April 16 at 11, Court of Bankruptcy, London, aud. ac.—*Peter Van den Ende*, Strood, Rochester, Kent, woolstapler, April 5 at 1, Court of Bankruptcy, London, aud. ac.—*Richard James Johnson*, Woolwich, Kent, plumber, April 10 at 12, Court of Bankruptcy, London, aud. ac.—*Eli Cornelius Hawkins*, Bath, Somersetshire, beer retailer, April 25 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*John Lindsay*, Neath, Glamorganshire, grocer, April 25 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Francis Skute and Stephen Skute*, Crediton, Devonshire, woollen manufacturers, April 11 at 1, District Court of Bankruptcy, Exeter, aud. ac.; April 25 at 1, div.—*Thomas Boydell Gelborne and Arthur Acheson Dobbs*, Liverpool, wine merchants, April 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Charnock*, West Derby, near Liverpool, baker, April 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Laycock*, Liverpool, iron merchant, April 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Alexander Brown and Wm. Todd*, Liverpool, provision merchants, April 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Cheshire*, Hartford, Cheshire, salt manufacturer, April 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Blain*, Liverpool, stationer, April 9 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Henry Griffiths*, Newtown, Montgomeryshire, ironmonger, April 10 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*James Dixon*, Morley, Batley, Yorkshire, dyer, April 10 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Mortimer Smith*, Ironbridge, Shropshire, bookseller, April 16 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Joseph Pidcock and Thomas Burton*, Nottingham, corn factors, April 11 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*William Willis*, Trowbridge, Wiltshire, wool broker, April 24 at 11, Court of Bankruptcy, London, div.—*Thomas Dunn*, Hastings, Sussex, builder, April 24 at half-past 11, Court of Bankruptcy, London, div.—*James Keevil the younger*, Bristol, draper, April 30 at 11, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Abraham Frideberg, Houndsditch, London, furrier, April 25 at 1, Court of Bankruptcy, London.—*Caleb Evans*, Merthyr Tydfil, Glamorganshire, ironmonger, April 23 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

Alfred French, East Grinstead, Sussex, plumber.—*George*

Alfred Pillin, Featherstone-buildings, Holborn, Middlesex, sword cutler.—*G. Jameson*, Newcastle-upon-Tyne, Northumberland, mercer.—*Charles Stephens*, Milton-next-Gravesend, Kent, builder.—*Samuel Parkhouse*, Cambridge, cattle dealer.—*John Watson and Robert Young Watson*, Sunderland, Durham, shipbuilders.—*James Graham*, Ardwick, Manchester, joiner.—*Joseph Rawling*, Selby, Yorkshire, shoemaker.—*William Henry Catton and Charles Catton*, Milnsbridge, near Huddersfield, Yorkshire, dyers.

SCOTCH SEQUESTRATIONS.

John Patrick & Co., Glasgow, commission merchants.—*James Duncan*, Newton-upon-Ayr, builder.—*Joseph Gordon Mackay*, Helmsdale, merchant.—*Maria Hanney or Hannah Grant*, deceased, Lochletter, Urquhart and Glenmoriston, Inverness-shire.—*Alexander McMillan*, Inch, Wigtownshire, farmer.—*Andrew Baxter*, Edinburgh, cattle dealer.—*George White*, Glasgow, jeweller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Gardiner, Leicester, grocer, April 16 at 10, County Court of Leicestershire, at Leicester.—*Robert Snaith*, Leicester, out of business, April 16 at 10, County Court of Leicestershire, at Leicester.—*William Henry Mitchell*, Leicester, hosier, April 16 at 10, County Court of Leicestershire, at Leicester.—*Wm. Nottingham*, Woolston, Wistanstow, Shropshire, farmer, April 24 at 10, County Court of Shropshire, at Ludlow.—*Patrick Gormaly*, Stobbs Wood Head, Lanchester, Durham, beer-house keeper, April 28 at 10, County Court of Durham, at Shotley Bridge.—*Edward Lightly*, Bishopwearmouth, Durham, cabinet maker, April 23 at 10, County Court of Durham, at Sunderland.—*Wm. Gibson*, Darlington, Durham, out of business, April 16 at 10, County Court of Durham, at Darlington.—*Wm. Mitchell*, Wheatley, Oxfordshire, baker, April 15 at 2, County Court of Oxfordshire, at Oxford.—*John Harrison*, Wilksby, Lincolnshire, farmer, April 10 at 10, County Court of Lincolnshire, at Horncastle.—*Thomas Walker*, Stratford-upon-Avon, Warwickshire, yeoman, April 17 at 9, County Court of Warwickshire, at Stratford-upon-Avon.—*Edward Benjamin Clarkson*, Paddock, Huddersfield, Yorkshire, out of business, April 17 at 10, County Court of Yorkshire, at Huddersfield.—*Isaac Hall the younger*, Lincoln, joiner, May 5 at 10, County Court of Lincolnshire, at Lincoln.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 11 at 11, before the CHIEF COMMISSIONER.

Wm. Barford, Wharf-road, City-road, Shoreditch, Middlesex, engineer.

April 12 at 11, before Mr. Commissioner PHILLIPS.

John James Bray, Newington-causeway, Surrey, foreman to a hatter.—*Henry Newton*, Poplar Union-house, High-st., Poplar, Middlesex, schoolmaster of the union.

April 14 at 11, before Mr. Commissioner PHILLIPS.

Henry Abell, Summer's-court, Bishopsgate-street Without, London, cabinet maker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 11 at 11, before the CHIEF COMMISSIONER.

Lewis Foster, Clement's-inn-passage, Clare-market, Middlesex, out of business.—*Samuel Bond*, Rose and Crown-court, Moorfields, London, bootmaker's assistant.

April 11 at 10, before Mr. Commissioner LAW.

Walter Firth, Jewin-st., City, clerk to an attorney.—*John Peacecock*, York-terrace, Queen's-road, Holloway, Middlesex, painter.

April 12 at 11, before Mr. Commissioner PHILLIPS.

William Dade Johnson, Richmond-st., Rupert-st., Hay-

market, Middlesex, following no trade.—*Cornelius Osborn*, Chipping Ongar, Essex, farmer.

April 14 at 11, before the CHIEF COMMISSIONER.

Alfred England, New-street-square, Fetter-lane, Holborn, London, eating-house keeper.—*Richard Tackle*, Lyndhurst-place, Creek-road, Deptford, Kent, baker.

April 14 at 10, before Mr. Commissioner LAW.

Thomas John Winter, Parham-place, King's-road, Chelsea, Middlesex, attorney-at-law.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

James Leeming, Preston, out of business, No. 73,207; *J. Briggs*, assignee.—*Cardwell Cheetham*, Newton-in-the-Willows, out of business, No. 71,415; *Isaac Boswell*, assignee.—*H. Appleton*, Hulme, Manchester, stonemason, No. 73,461; *Thomas Airey*, assignee.—*Thomas Owen Jones*, Hulme, Manchester, out of business, No. 73,366; *E. Roberts*, assignee.—*Henry Bonsor*, Manchester, fancy box maker, No. 73,414; *G. C. Caffley*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, April 11 at 11.

Mark Melville, Liverpool, owner of a steam-boat.—*H. B. Leach*, Manchester, out of business.—*John E. Cookson*, Manchester, out of business.—*Peter M'Intyre*, Manchester, traveller.—*Enos Roberts*, Manchester, joiner.—*Alfred F. Trigg*, Manchester, commission agent.—*James Smith*, Lancaster, out of business.—*John B. Brierley*, Prestwich, near Manchester, provision dealer.—*Thomas J. Stubbs*, Manchester, silk manufacturer.—*Sidney Smithson*, Manchester, silk manufacturer.—*John A. Jackson*, Manchester, out of business.—*Joseph Bowker*, Chowbent, near Bolton-le-Moors, fly maker.—*Thos. Arnold*, Mill-lane, near Liverpool, retail dealer in ale.—*C. Robinson*, Manchester, plumber.—*Joseph Sisson*, Manchester, out of business.—*John Forshaw*, Bolton-le-Moors, beerseller.—*Francis Staley*, Hulme, Manchester, shoemaker.—*Thomas Wetherell*, Manchester, manager at ale vaults.—*William Hill Owen*, Blackpool, lodging-house keeper.—*John Walmley*, Blackburn, boiler maker.—*John Bennet*, Liverpool, book-keeper.—*Thomas Adamson*, Liverpool, out of business.—*J. Dean*, Manchester, grocer.—*Joseph Hind*, Manchester, out of business.—*Edward Saville*, Hulme, Manchester, stonemason.

At the County Court of Brecknockshire, at BRECKNOCK, April 14 at 10.

Edward Devonshire, Prospect-place, Peckham-rye, Surrey, chief clerk in the Secretary's-office of the East and West India Dock Company.—*John Jeffreys*, Brecon, barrister-at-law.—*John Boser*, Llanymoch, Penderwyn, miner.

At the County Court of Durham, at DURHAM, April 11.

Joseph Colling, Bishopwearmouth, auctioneer.—*John Littlehales*, Bishopwearmouth, shoemaker.—*Robert Teasdale*, Redwell-hills, near Leadgate, publican.—*William Lloyd*, Chester-le-street, surgeon.—*Wm. Ditchburn*, Durham, out of business.—*Henry Brotherton*, Bishop Auckland, teacher of music.—*John Huddleston*, Monkwearmouth, shipowner.—*Joseph Green*, Bishopwearmouth, innkeeper.—*C. Currah*, Edmondbyers, farmer.—*Teasdale Colledge*, Bishopwearmouth, mariner.

MENING.

James Tagg, Castle Church, Staffordshire, baker, April 14 at 12, at Bowen's, Stafford, sp. aff.

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LONDON, APRIL 5, 1851.

THE Government plan for Chancery reform has been at length brought forward. It has in it one good point, and one only, viz. the retention of the union in the Lord Chancellor, of political as well as judicial functions. On this point we rejoice to see, in the speech of the Minister on bringing in his plan, the recognition, to a great extent, of the same principles that we endeavoured to support in a previous number of this Journal, (15 Jur., part 2, p. 1)—principles, the soundness of which must, we are sure, be apparent to every one who looks at our insinuations in the spirit of a politician, and not of a mere lawyer. But when we have said this in favour of the Government measure, which after all merely amounts to saying that it avoids doing a great mischief, we have said all in the way of praise that can be found to be said. As a measure of beneficial reform, it is a perfect nullity; or, if not quite a nullity, it is mischievous so far as it is at all substantial. Be it remembered, that, at the present time, the subordinate branches of the Court of Chancery cannot do their work for want of judicial strength. That is the well-known fact; and, indeed, it is admitted in the Minister's speech. Be it further remembered, that, judging from the statistics of the court, also referred to in the Minister's speech, there is not any probability that for many years to come, even with the assistance of the third Vice-Chancellor, the Master of the Rolls and the Vice-Chancellors will be able to do more than to keep their business down, if they, one and all, give their utmost zeal and the whole of their time to the business of their courts. And be it remembered also, that though there are fifteen common-law judges, yet, with their circuits, their term business, and their chamber business, they also have their time fully employed. What, then, is, in this state of things, Lord John Russell's notable scheme for relieving the Chancellor of a part of his

judicial labour? Why, simply this. To take, on the days when the Chancellor sits to hear appeals, the Master of the Rolls from his court, and one of the common-law judges from his court, and thus to constitute a sort of judicial triumvirate, of which the Chancellor is to be nominally the head; but with power to be away whenever he likes.

Now, note first the strangeness of the notion, for the purpose of benefiting the public, of saving the Chancellor's labour, by paralysing one of the branches of the already over-worked Court of Chancery, and by bringing a judge of the common law away from his own Court, where his knowledge is most available, and is required, to aid a Court where, as to nine-tenths of the business, he must necessarily be inexperienced. Note next the inconsistency of the plan with the sound principle recognised by the Government, that the Lord Chancellor ought to be both a political and a judicial functionary. Why the very essence of that principle is, that the Chancellor ought to be the first and most thoroughly practised lawyer of the day, in order that the Government may have in the Cabinet the best legal advice and aid that can be had. But if the Chancellor is to be away from his court for any material portion of his judicial time, he will forget his law, or, at least, he will cease gradually to possess it with that vigorous grasp which only continued practice imparts, and while he becomes more the political, he will become less the judicial functionary and adviser. So that the proposed reform comes to this—the relief of the head of the Court, by suspending a great part of the functions of one of its subordinate branches; that relief of the head of the Court taking effect by way of removing him from the exercise of his habitual judicial occupations, and allowing him to rest as a lawyer. It is admitted, that to be the complete Chancellor, he must continue to be the first lawyer of his day. On such a scheme for remodelling the Court of Chancery, it would

be waste of thought to expend more discussion. But we may still, usefully perhaps, add a few words on the principle which is at the root of all this supposed advantage of easing the Chancellor. That principle is, we believe, essentially erroneous.

The assumption is, throughout, that the Chancellor is very much overloaded with business; that he ought to be relieved to a great extent; and that, if he is not, no man can do the work of a Chancellor. Now, we conceive that it is one of the most important points to be kept in view in reference to the office of Chancellor, that it ought to be an office of vast intellectual labour, as well as responsibility. It was, if we recollect, Napoleon who observed, that great men were not so much men who surpassed their fellows in acuteness of intellect, as men who could do more work than others. There can be no doubt that indomitable powers of mental labour are more rare than mere talent. Easy offices, with a large salary, would always find abundance of candidates, more likely to be recommended by the influence of their connexions, than the transcendent superiority of their personal powers, and yet men of sufficient talent apparently to justify the preference given to them. But the Chancellor's office, while it is a great prize, ought to be filled by a man who commands it not merely by reason of any powerful connexions, but because no other, at least none but a very first-rate man, can bear the load of business cast upon the Chancellor. The capacity to bear that load is the very best test of the fitness of the man for the office; and we hesitate not to say, that from the moment that the Chancellor's labours are lightened, so as to bring them down to the capacity of many men, the appointment of the Chancellor will become as much a matter of jobbing as the appointment of governors of second and third rate colonies, and the public will not be served, as it has been, by the Eldons, the Lyndhursts, the Cottenhams, and such men. While saying this, we are not meaning that no withdrawal whatever of business from the Chancellor could be made with advantage; we only object to the broad principle of making it an easy office; we only contend that it ought to be loaded with an amount of business which none but a man of very superior intellect and energy can get through. But at the same time, in details, we conceive that the Chancellor is harassed with some business which might be advantageously withdrawn, simply because it consumes much time, without requiring a greater degree either of knowledge, of talent, or of energy, than is to be found abundantly in those who preside over the subordinate branches of the court. We allude, for instance, to original lunacy business, which, as we have before observed, might just as well be transacted by the Vice-Chancellors and the Master of the Rolls, leaving only lunacy appeals to the Chancellor; and possibly some other interruption of the Chancellor's time might be withdrawn. But we repeat, that the alleviation of labour should only be in details; the office of Chancellor ought to be inaccessible except to men of the very highest powers of every kind; and one mode of securing for it extraordinary men is to keep it loaded with an amount of business which would kill any man of the common stamp.

London Gazette.

TUESDAY, APRIL 1.

BANKRUPTS.

GEORGE THOMAS MINOR, Mount-st., Lambeth, Westminster-road, Surrey, linendraper, mercer, dealer and chapman, April 10 at 12, and May 15 at 11, Court of Bankruptcy, London: Off. Ass. Ball; Sols. Sarr & Gribble, 30, Lombard-street.—Petition filed March 27.

JOHN FREDERICK COLE, Hampton-court, Middlesex, victualler, April 10 at half-past 1, and May 15 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Wild & Co., College-hill.—Petition filed March 25.

EDWARD HARRATT and JOHN BLAND, Huntingdon and Godmanchester, Huntingdonshire, builders, dealers and chapmen, April 15 and May 22 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Hunnybun, Huntingdon; Sewell & Co., 51, Old Broad-street.—Petition filed March 28.

CHARLES MAY, Norwich, **WILLIAM LEOPOLD METCALFE**, Great Yarmouth, Norfolk, and **CHARLES JAMES METCALFE**, Roston, Bedfordshire, soap manufacturers, (carrying on trade in copartnership at Great Yarmouth), April 11 at 2, and May 13 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Worship, Great Yarmouth; Norris & Co., 20, Bedford-row.—Petition filed March 18.

THOMAS LUCAS CLAYTON, Pottesgrove, near Woburn, Bedfordshire, milkman, cattle dealer, and farmer, dealer and chapman, April 9 at 2, and May 9 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Cobb, Downham-road, Lower-street.—Petition filed March 29.

JAMES BURY the younger, Sneinton, Nottinghamshire, cotton waste dealer, April 11 at 10, and May 9 at 11, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Browne, Nottingham.—Petition dated March 25.

REES DAVIES, Tredegar, Monmouthshire, draper, dealer and chapman, April 15 and May 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed March 29.

EBENEZER THORNTON, Huddersfield, Yorkshire, ironmonger, dealer and chapman, April 11 and May 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Fenton & Jones, Huddersfield; Bond & Barwick, Leeds.—Petition filed and filed March 20.

ISAAC DEWHURST and JOHN SAWLEY DEWHURST, Embsay, Skipton, Yorkshire, cotton spinners, dealers and chapmen, (trading under the style or firm of Isaac Dewhurst & Son), April 15 at 11, and May 5 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Brown, Skipton; Bond & Barwick, Leeds.—Petition dated March 22.

MEETINGS.

Augustus Alexander Lackersteen and W. Hamilton Crake, Moorgate-st., London, merchants, April 11 at 11, Court of Bankruptcy, London, and ac.—*Thos. Carey Willard Pierce and Gilson Homan*, Manchester, merchants, April 11 at 11, District Court of Bankruptcy, Manchester, and ac. sep. est. of *Thos. Carey Willard Pierce*.—*William Freeman Fawcett*, Sedbusk, Aysgarth, Yorkshire, grocer, April 11 at 11, District Court of Bankruptcy, Leeds, and ac.—*Wm. Ireland*, Crowland, Lincolnshire, grocer, April 11 at 10, District Court of Bankruptcy, Nottingham, and ac.—*John Ramsey*, Dean-street, Shadwell, Middlesex, glue piece maker, April 24 at 11, Court of Bankruptcy, London, div.—*Thomas Kinton*, East Stonehouse, Devonshire, furniture broker, April 24 at 11, District Court of Bankruptcy, Plymouth, div.—*Wm. Richards*, Devonport, Devonshire, printer, April 24 at 11, District Court of Bankruptcy, Plymouth, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Dale Harwood, Liverpool, ironmonger, April 24 at 11, District Court of Bankruptcy, Liverpool.—*Richard Boyle* the younger, Kingston-upon-Hall, merchant, April 13 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hall.

—*John Barker*, Newcastle-upon-Tyne and North Shields, Northumberland, merchant, April 24 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Joseph Manning*, Birmingham, draper, April 26 at 10, District Court of Bankruptcy, Birmingham.—*Samuel Lee*, Loughborough, Leicestershire, bookseller, April 25 at 12, District Court of Bankruptcy, Birmingham.—*John Wilson*, St. Helen's, Lancashire, manufacturing chemist, April 23 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Edwin Trent, Sherborne, Dorsetshire, and Yeovil, Somersetshire, draper.—*Samuel Jeffries*, Eltham, Kent, maltster.—*Charles George Jones*, Oxford-street, Middlesex, licensed victualler.—*John Voller*, Landport, Portsea, Southampton, builder.—*Wm. Cave Cranwell*, Ely, Cambridgeshire, potato merchant.—*John Burgoyne Pillin*, Featherstone-buildings, Holborn, Middlesex, sword cutler.—*Thomas Matthews*, Kenilworth, Warwickshire, licensed victualler.—*Robert Bruin*, Blaby, Leicestershire, baker.—*Robert John Wallis*, Loughborough, Leicestershire, wine merchant.—*James Letts*, Leamington Priors, Warwickshire, miller.—*John Firth*, Leeds, Yorkshire, linendraper.—*John Dale Woodcock*, Leeds, Yorkshire, calenderer.

FIAT ANNULLED.

Bernard Angle, Moorfields, London, licensed victualler.

PARTNERSHIPS DISSOLVED.

Joseph Noakes Mourilyan and *Nicholas Henry Rowse*, Verulam-buildings, Gray's-inn, Middlesex, attorneys and solicitors.—*Joseph Loadale Warren* and *George Burd*, Market Drayton, Shropshire, attorneys and solicitors, (under the firm of J. L. Warren & Burd).

SCOTCH SEQUESTRATIONS.

John Dixon & Co., Paisley, ironfounders.—*Neil Stewart & Co.*, Perth, wine merchants.—*Alfred MacIure*, Glasgow, musiceller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Burvill the younger, Folkestone, Kent, beer-shop keeper, April 9 at 10, County Court of Kent, at Folkestone.—*Thomas Williams*, Cwmbrance, Llantarnam, Monmouthshire, boatman, April 22 at 12, County Court of Monmouthshire, at Newport.—*Matthew Little*, Newcastle-upon-Tyne, builder, April 17 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Joseph McKay*, Newcastle-upon-Tyne, beer-house keeper, April 17 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Robert Ferguson*, Newcastle-upon-Tyne, hatter and cap dealer, April 17 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Robert Johnson*, Newcastle-upon-Tyne, schoolmaster, April 17 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*John Fryer*, Newcastle-upon-Tyne, baker, April 17 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*R. G. Watt*, Barton-upon-Humber, Lincolnshire, innkeeper, April 29 at 11, County Court of Lincolnshire, at Barton-upon-Humber.—*John Mason*, Oxford, in no business, April 15 at 2, County Court of Oxfordshire, at Oxford.—*John Wilson*, Burton Lonsdale, Yorkshire, slater, April 22 at 1, County Court of Westmoreland, at Kirkby Lonsdale.—*P. Hutchinson*, Houghton-le-Spring, Durham, potato dealer, April 24 at 10, County Court of Durham, at Durham.—*Whitfield Burnett*, Little Epbleton, near Hetton-le-Hole, Durham, coalfitter, April 24 at 10, County Court of Durham, at Durham.—*J. Cooper*, Gilling, Yorkshire, blacksmith, April 16 at 11, County Court of Yorkshire, at Helmsley.—*Samuel York*, Street, Somersetshire, baker, April 19 at 11, County Court of Somersetshire, at Wells.—*John Bagg*, Stoke-under-Hamdon, Somersetshire, cooper, April 24 at 10, County Court of Somersetshire, at Yeovil.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 15 at 11, before the CHIEF COMMISSIONER.

George R. Cooke, Norton-street, Middlesex, organist.—*J.*

F. Edwards, Great Saffron-hill, Hatton-garden, Middlesex, smith.—*Henry Howlet*, Bartlett's-buildings, Holborn, attorney-at-law and solicitor.

Saturday, March 29.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

G. Cotton, Coventry, Warwickshire, builder, No. 73,139 C.; *Abel Rotherham*, assignee.

Saturday, March 29.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Chas. Joseph Acut, Goswell-road, Clerkenwell, Middlesex, cabinet maker: in the Debtors Prison for London and Middlesex.—*James W. Knight*, Newgate-street, London, commercial traveller: in the Debtors Prison for London and Middlesex.—*Elis. Freeman*, Lombard-street, Chelsea, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John Fred. Hulls*, Susannah-street, Poplar New-town, Middlesex, ostler: in the Debtors Prison for London and Middlesex.—*Charles Alex. Sinclair*, Bedford-square, Middlesex, not in any trade: in the Debtors Prison for London and Middlesex.—*John Stanley*, Weston-street, New-road, Pentonville, Middlesex, attorney-at-law: in the Debtors Prison for London and Middlesex.—*Gustavus Wm. Blanch*, Whitehead's-grove, Chelsea, Middlesex, consulting surgeon: in the Queen's Prison.—*John George Fuller*, Lora-road, North Brixton, Surrey, out of business: in the Queen's Prison.—*H. W. How*, Leipsic-road, Camberwell New-road, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*D. Downing*, Little Albion-st., Rotherhithe, Surrey, commission agent for the sale of timber: in the Gaol of Horsemonger-lane.—*J. Sansons*, Brentford, Middlesex, cooper: in the Debtors Prison for London and Middlesex.—*D. Catlin*, Broadway, Westminster, Middlesex, foreman to a greengrocer: in the Debtors Prison for London and Middlesex.—*David Dunn*, Albany-street, Regent's-park, Middlesex, civil engineer: in the Debtors Prison for London and Middlesex.—*Robert Remmett*, Stanley-street, Chelsea, Middlesex, barrister-at-law: in the Queen's Prison.—*Alex. Warrand*, Castle-street, Holborn, London, attorney-at-law: in the Queen's Prison.—*George Macell*, Dunn's-cottages, Lower-road, Rotherhithe, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*John R. Fitch*, Hatton-garden, Holborn, Middlesex, wholesale jeweller: in the Debtors Prison for London and Middlesex.—*Edward Saville*, Hulme, Manchester, stonemason: in the Gaol of Lancaster.—*W. White*, Reading, Berkshire, bookbinder: in the Gaol of Reading.—*Thompson Wainwright*, Birmingham, town traveller: in the Gaol of Coventry.—*John A. Jackson*, Manchester, screw manufacturer: in the Gaol of Lancaster.—*W. Coulthirst*, Crumpeall, near Manchester, joiner: in the Gaol of Lancaster.—*Robert Dean*, Kelsall, near Chester, farmer: in the Gaol of Chester.—*John Hoyle*, Cage Mill, near Rochdale, Lancashire, woollen carder: in the Gaol of Lancaster.—*Samuel Ireland*, Newcastle-upon-Tyne, grocer: in the Gaol of Newcastle-upon-Tyne.—*Edward Devonshire*, Prospect-place, Peckham-rye, Surrey, out of employ: in the Gaol of Brecon.—*J. Jeffries*, Brecon, barrister-at-law: in the Gaol of Brecon.—*Thomas Hathway*, Frampton, Cotterell, Gloucestershire, saddler: in the Gaol of Gloucester.—*Wm. Harris*, Cardiff, Glamorganshire, victualler: in the Gaol of Cardiff.—*Richard John*, Aburthin, near Cowbridge, Glamorganshire, farmer: in the Gaol of Cardiff.—*Richardson Webster*, Dudley-hill, near Bradford, Yorkshire, safety-lamp maker: in the Gaol of York.—*John Tilley*, Tredegar Iron-works, Monmouthshire, grocer: in the Gaol of Cardiff.—*John Myers*, Manchester, attorney-at-law: in the Gaol of Lancaster.—*David Jones*, Cerrigy-druidion, Denbighshire, labourer: in the Gaol of Ruthin.—*Richard Holgate*, Dewsbury, Yorkshire, greengrocer: in the Gaol of York.—*Wm. Hopkins*, Bristol, farmer: in the Gaol of Bristol.—*John Green*, Halifax, Yorkshire, linendraper: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 12 at 10, before Mr. Commissioner LAW.

Adjourned.

James Henry Hance, Southwark-bridge-road, army agent.

April 15 at 10, before Mr. Commissioner LAW.

John Driver, Leopold-place, Devonshire-street, Mile-end, Middlesex, carpenter.—*John Wm. Hugman* the elder, Shoemakers'-row, Broadway, Ludgate-hill, tallowchandler.—*Geo. Borer*, Holborn, Middlesex, commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, May 5.
Wm. Sardeson, Dyke, near Bourn, miller.

At the County Court of Northumberland, at NEWCASTLE-UPON-TYNE, April 17 at 10.

Samuel Ireland, Newcastle-upon-Tyne, grocer.

At the County Court of Suffolk, at IPSWICH, April 17 at 10.
Thomas Garrod, Hadleigh, clothier.

At the County Court of Somersetshire, at TAUNTON, April 17.

George Trout, Bath, out of business.

FRIDAY, APRIL 4.

BANKRUPTS.

GEORGE HENRY BRADBERRY and **GEORGE RICE LOWE**, Great Tower-st., London, flour factors, merchants, dealers and chapmen, April 16 at half-past 1, and May 16 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Strutt & Cunningham, 18, Buckingham-st., Strand.—Petition filed March 28.

LEONARD WILD LLOYD, Goldhawk-terrace, New-road, Shepherd's-bush, Middlesex, builder and brickmaker, dealer and chapman, April 16 at 1, and May 16 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Abrahams, 4, Lincoln's-inn-fields.—Petition filed March 28.

JOHN GENTRY, Bocking, Essex, smith and ironmonger, dealer and chapman, April 16 at 2, and May 13 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Stevens & Satchell, Queen-st., Cheapside.—Petition filed March 27.

JOHN BENSON BROWNE, Newcastle-under-Lyne, Staffordshire, wine merchant, dealer and chapman, April 17 and May 8 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Kough, Shrewsbury; Motteram & Co., Birmingham.—Petition dated March 15.

ROBERT MOATE, West Stockwith, Misterton, Nottinghamshire, innkeeper, April 19 and May 10 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Marratt, Doncaster.—Petition dated and filed April 1.

HOWELL REYNOLDS, Aberaman, Aberdare, Glamorganshire, innkeeper, coal contractor, and coal proprietor, dealer and chapman, and having coal works in the Rhondda-valley, near Pontypridd, Glamorganshire, April 23 and May 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. C. H. & F. James, Merthyr; Short & Strickland, Bristol.—Petition filed April 3.

WILLIAM ANDREWS, Liverpool, commission merchant, dealer and chapman, April 14 and May 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Williams, Liverpool.—Petition filed March 26.

CHARLES ROOPE, Liverpool, wine merchant, April 11 and May 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Fletcher & Hull, Liverpool.—Petition filed March 28.

ROBERT ANDREWS TAYLOR, Dunston, Durham, Epsom salts and colour manufacturer, April 11 at 12, and May 9 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Forster, Newcastle-upon-Tyne; Bolding & Pope, 35, Fenchurch-street, London.—Petition filed March 28.

MEETINGS.

Abraham Hawkins, St. Alban's, Hertfordshire, shopkeeper, April 17 at 12, Court of Bankruptcy, London, ch. ass.—*Stephen Couchman*, Stroud, Kent, grocer, April 29 at 11, Court of Bankruptcy, London, last ex.—*David E. Colombine*, Carlton-chambers, Regent-st., Westminster, money scrivener, April 16 at 11, Court of Bankruptcy, London, last ex.—*H. D. Stevenson*, Bishopwearmouth, Durham, merchant, April

29 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*David Douglas*, Manchester, draper, April 17 at 11, District Court of Bankruptcy, Manchester, last ex.—*George May*, Cursitor-st., Chancery-lane, London, builder, April 25 at 1, Court of Bankruptcy, London, aud. ac.; April 26 at half-past 11, div.—*Edwin Trent*, Sherborne, Dorsetshire, and Yeovil, Somersetshire, draper, April 25 at 2, Court of Bankruptcy, London, aud. ac.; April 26 at half-past 12, div.—*Edwin Bliss*, Barbican, London, brushmaker, April 17 at 11, Court of Bankruptcy, London, aud. ac.; May 1 at 1, div.—*John Reid*, King's-row, Fimlico, Middlesex, corn dealer, April 29 at half-past 11, Court of Bankruptcy, London, aud. ac.—*James M. Bridgland*, Phoenix-st. and Denmark-st., Soho, Middlesex, pianoforte maker, April 26 at 11, Court of Bankruptcy, London, aud. ac.; April 26 at 11, div.—*John Perrell* and *Charles Garton*, Bristol, maltsters, April 17 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Job Bouyer*, Sutton, near Macclesfield, Cheshire, provision dealer, April 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Lawrence Greenwood* and *Robert Leach*, Bolton-le-Moors, Lancashire, ironfounders, April 14 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Gardner Boggs*, Liverpool, merchant, April 14 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Blake* and *James Blake*, Liverpool and Dublin, soap manufacturers, April 24 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; April 25 at 11, div.—*John Stormont* and *W. Stormont*, Shifnal, Shropshire, iron manufacturers, April 26 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Thomas*, Istock, Leicestershire, draper, April 14 at 11, District Court of Bankruptcy, Birmingham, aud. ac.—*William Bradburn*, Tong, Shropshire, corn dealer, April 14 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Morris*, Walsall, Staffordshire, saddlers' ironmonger, April 30 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Davies*, Kington, Herefordshire, mercer, April 16 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; April 29 at 12, div.—*Thomas Bourne*, Birmingham, coal dealer, April 29 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; April 30 at 12, div.—*Wm. Cousins*, Wolverhampton, Staffordshire, coach builder, April 16 at 12, District Court of Bankruptcy, Birmingham, aud. ac.; April 29 at 12, div.—*A. Atkinson*, Newcastle-upon-Tyne, sharebroker, April 30 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James Reid*, Newcastle-upon-Tyne, ship broker, April 25 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 29 at 1, fin. div.—*W. Hammond Ambler*, Bishop Auckland, Durham, banker, April 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Jas. Robinson*, Stanwix, Cumberland, cattle dealer, April 24 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 25 at 11, div.—*Septimus Frederick Martyn*, Bishop Auckland, Durham, draper, April 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 30 at 11, div.—*Wm. Bell Harrison*, Sunderland, Durham, draper, April 29 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; April 30 at 1, div.—*Joseph Hinchaliffe Steenson*, Sunderland, Durham, miller, April 29 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Barker*, Newcastle-upon-Tyne, and North Shields, Northumberland, merchant, April 24 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thos. Kinton*, East Stonehouse, Devonshire, furniture broker, April 24 at 11, District Court of Bankruptcy, Plymouth, aud. ac.—*Wm. Richards*, Devonport, Devonshire, printer, April 24 at 11, District Court of Bankruptcy, Plymouth, aud. ac.—*T. Wm. Spencer*, Devonport, Devonshire, draper, April 24 at 11, District Court of Bankruptcy, Plymouth, aud. ac.—*Stephen Henry Gummer*, Bridport, Dorsetshire, attorney-at-law, April 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Frederick Burt*, Plymouth, Devonshire, boarding-house keeper, April 24 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Thomas Daniell*, Boulogne, France, copper smelter, April 29 at 11, District Court of Bankruptcy, Exeter, aud. ac. and div.—*Samuel Parnall*, East Looe, Cornwall, grocer, April 16 at 1, District Court of Bankruptcy, Exeter, aud. ac.; May 1 at 1, div.—*Richard Venning*, Totnes, Devonshire, cider merchant, April 29 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Benjamin Couch Stenlake*, Tavistock, Devonshire, watchmaker, April 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Henry Tucker*, Colyton, De-

vonshire, linendraper, April 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John David Symes*, Axminster, Devonshire, corn dealer, April 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*William Rickerby*, Falmouth, Cornwall, newspaper proprietor, April 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*Charles Prideaux Fox*, Torquay, Devonshire, surgeon, April 30 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Bates*, Kettering, Northamptonshire, watchmaker, May 2 at half-past 1, Court of Bankruptcy, London, div.—*James Barr*, New Turnstile, High Holborn, and Old-road, St. Pancras, Middlesex, builder, May 2 at 1, Court of Bankruptcy, London, div.—*Richard Groves Ward*, Brownlow-st., Drury-lane, Middlesex, coach carrier, May 2 at 1, Court of Bankruptcy, London, div.—*S. Hogg and Henry James Hogg*, Landport, Portsea, Hampshire, auctioneers, April 26 at 12, Court of Bankruptcy, London, div.—*Joseph Nash and T. Neale*, Reigate and Dorking, Surrey, bankers, April 26 at 11, Court of Bankruptcy, London, div.—*John Jones and Alice Brown*, Shoreditch, Middlesex, licensed victuallers, April 26 at half-past 12, Court of Bankruptcy, London, fin. div.—*Edward Williams and John Williams*, Dudley, Worcestershire, millers, April 14 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; April 26 at 10, div.—*Joseph Worsey and James Biggs*, Aston, near Birmingham, wire manufacturers, April 29 at 12, District Court of Bankruptcy, Birmingham, div.—*James Longmore Wilks*, Worcester, tailor, April 30 at 12, District Court of Bankruptcy, Birmingham, fin. div.—*John Liptrott Findley*, the younger, Birmingham, tailor, April 29 at 12, District Court of Bankruptcy, Birmingham, div.—*George Everard*, Longton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer, April 29 at 12, District Court of Bankruptcy, Birmingham, div.—*James Davis*, Bristol, and Nailsea, Somersetshire, tanner, May 1 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Wm. Wilson*, Houghton-le-Spring, Durham, maltster, April 30 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*George Fletcher*, Allmey, Sheffield, Yorkshire, hosier, April 26 at 10, District Court of Bankruptcy, Sheffield, div.—*Robert Day*, Doncaster, Yorkshire, innkeeper, April 26 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

J. Dawson, Northfleet, Kent; Mitre-st.-chambers, Temple, London; and Clement's-lane, Lombard-st., ship owner, April 28 at 2, Court of Bankruptcy, London.—*Charles Porter*, Braintree, Essex, grocer, April 30 at 12, Court of Bankruptcy, London.—*George May*, Curstow-st., Chancery-lane, London, builder, April 26 at half-past 11, Court of Bankruptcy, London.—*Francis Masters*, Reading and Newbury, Berkshire, plumber, April 30 at 1, Court of Bankruptcy, London.—*Fredk. Geo. Johns*, New-yard, Great Queen-street, Middlesex, general fixture dealer, April 25 at 2, Court of Bankruptcy, London.—*Wm. Atkinson* the younger, Goole, Yorkshire, shipwright, April 28 at 11, District Court of Bankruptcy, Leeds.—*George Woods*, Hanley, near Liverpool, surgeon, April 25 at 11, District Court of Bankruptcy, Liverpool.—*James Robinson*, Stanwix, Cumberland, cattle dealer, April 25 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Septimus Frederick Marlyn*, Bishop Auckland, Durham, draper, April 30 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*W. B. Harrison*, Sunderland, Durham, draper, April 30 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*G. F. Allmey*, Sheffield, Yorkshire, hosier, April 26 at 10, District Court of Bankruptcy, Sheffield.—*William Hale*, Bishampton, Worcestershire, baker, April 30 at 12, District Court of Bankruptcy, Birmingham.—*Edward Warden*, Preston, Lancashire, tallow-chandler, April 28 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

James Bickerton the younger, Bread-street, Cheapside, London, hat manufacturer.—*Thomas Tuffield*, Hoxton Old-town, Middlesex, tallowchandler.—*Henry Williams*, Great Distaff-lane, London, and Mile-end, Middlesex, builder.

PETITION ANNULLED.

Richard Jas. Johnson, Wellington-street, Woolwich, Kent, plumber.

SCOTCH SEQUESTRATIONS.

David Carnegie Arbuthnot, Balrownie, Menmuir, farmer.—*Margaret Duncan*, Banff, cowfeeder.—*Alexander Murray & Co.*, Edinburgh, news agents.—*John Kippen & Co.*, Port-Glasgow, mercantile agents.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Snelling, Birmingham, fishmonger, April 19 at 11, County Court of Warwickshire, at Birmingham.—*William Thomas Hairs*, Birmingham, paperhanger, April 19 at 11, County Court of Warwickshire, at Birmingham.—*Henry Septon*, Balsall-leath, Worcestershire, glassmaker, April 19 at 11, County Court of Warwickshire, at Birmingham.—*James Ellis*, Birmingham, retail brewer, April 19 at 11, County Court of Warwickshire, at Birmingham.—*Joseph Salt*, Birmingham, cutler, April 19 at 11, County Court of Warwickshire, at Birmingham.—*William Jenkins*, Birmingham, poulterer, April 19 at 11, County Court of Warwickshire, at Birmingham.—*William Edwards*, Birmingham, grocer, April 19 at 11, County Court of Warwickshire, at Birmingham.—*Ann Stoessiger*, widow, Birmingham, out of business, April 19 at 11, County Court of Warwickshire, at Birmingham.—*Harry Howells Horton*, Birmingham, commission agent, April 19 at 11, County Court of Warwickshire, at Birmingham.—*Joseph Anstey*, Birmingham, greengrocer, April 19 at 11, County Court of Warwickshire, at Birmingham.—*George Davison*, Howdon, Wallsend, Northumberland, innkeeper, April 19 at half-past 10, County Court of Northumberland, at North Shields.—*John Dison*, Warkworth, Northumberland, farmer, April 24 at 10, County Court of Northumberland, at Alnwick.—*Chas. Pearson*, Whitehaven, Cumberland, painter, April 28 at 12, County Court of Cumberland, at Whitehaven.—*Sarah Carter Beeding*, Bognor, Sussex, school-mistress, April 16 at 11, County Court of Sussex, at Chichester.—*William Rowe*, Chester, out of business, April 8 at 10, County Court of Cheshire, at Chester.—*William Beard*, Kelvedon, Essex, wheelwright, April 21 at 12, County Court of Essex, at Colchester.—*James Holmes*, Witham, Essex, carpenter, April 22 at 12, County Court of Essex, at Maldon.—*William Simmons*, Shrewsbury, Shropshire, cutler, April 22 at 10, County Court of Shropshire, at Shrewsbury.—*John Fairweather*, Debenham, Suffolk, brazier, April 17 at 10, County Court of Suffolk, at Ipswich.—*Howard Proctor*, Great Briect, Suffolk, blacksmith, April 17 at 10, County Court of Suffolk, at Ipswich.—*Richard Ring*, Claydon, near Ipswich, Suffolk, saddler, April 17 at 10, County Court of Suffolk, at Ipswich.—*Robert Adams*, Ipswich, Suffolk, miller, April 17 at 10, County Court of Suffolk, at Ipswich.—*Edward Cook*, Ipswich, Suffolk, carpenter, April 17 at 10, County Court of Suffolk, at Ipswich.—*Wm. Foster*, Lyng, near Bridgwater, Somersetshire, butcher, April 15 at 11, County Court of Somersetshire, at Bridgwater.—*Richard Fearnside*, Bradford, Yorkshire, shopkeeper, April 15 at 11, County Court of Yorkshire, at Bradford.—*George Passmore*, Ottery St. Mary, Devonshire, tailor, April 16 at 10, County Court of Devonshire, at Honiton.—*William Shorland*, Ottery St. Mary, Devonshire, shoemaker, April 16 at 10, County Court of Devonshire, at Honiton.—*Samuel Clutterbuck*, Stroud, Gloucestershire, hairdresser, April 30 at 10, County Court of Gloucestershire, at Stroud.—*John Gathercole*, Bury St. Edmund's, Suffolk, grocer, April 28 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Wm. Suttle*, Stowmarket, Suffolk, grocer, April 21 at 10, County Court of Suffolk, at Stowmarket.—*Henry Handy*, Hacheston, Suffolk, grocer, April 24 at 1, County Court of Suffolk, at Woodbridge.—*Isaac Smallcombe*, Ledbury, Herefordshire, farmer, April 19 at 9, County Court of Herefordshire, at Ledbury.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Derbyshire, at DERBY, April 19 at 11.

Richard Lambert, Chesterfield, mercer.

At the County Court of Sussex, at LEWES, April 22.

George Stewart, Brighton, painter.

At the County Court of Shropshire, at SHREWSBURY, April 22 at 10.

Benjamin Purslow, Hatton, Eaton-under-Haywood, auctioneer.

At the County Court of Suffolk, at BURY ST. EDMUND'S, April 28 at 10.

Walter Spink, Woolpit, innkeeper.

INSOLVENT DESTOR'S DIVIDEND.

Edward Pote, late in the employ of the General Post-office, Ford's, 8, Henrietta-street, Covent-garden: 9d. in the pound, (making with former dividends 20s. in the pound).

The Queen has been pleased to direct letters-patent to be passed under the Great Seal of the United Kingdom of Great Britain and Ireland, appointing George James Turner, Esq., one of her Majesty's Counsel, to be a Vice-Chancellor, in the place of the Right Hon. Sir James Wigram, Knight, resigned.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Alfred Kingsford Cornelius, of Canterbury, Kent; Robert Gramshaw, of Leicester.

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LONDON, APRIL 12, 1851.

A CASE of *Doe d. Blakiston v. Haslewood* is reported in 15 Jur., part 1, p. 272, the decision in which is, we submit, open to considerable doubt. The testator in that case, being married and ill, made a will, of which the material part is as follows:—"I give and devise unto my dear wife, Elizabeth Trotter, and her assigns, all that my messuage, house, and premises thereunto belonging, situate, lying, and being in Fishburn, and all those my freehold lands, tenements, and hereditaments situate, lying, and being in the township of Fishburn aforesaid, called and known by the name of 'The Falls,' to hold the same to my said wife, Elizabeth, and her assigns, for and during the term of her natural life; and, subject thereto, I give and devise all and singular my said messuage, house, and premises situate in Fishburn aforesaid, and all those my freehold lands, tenements, and hereditaments situate, lying, and being in the township of Fishburn aforesaid, and all and every other my freehold estate of what nature soever, or wheresoever, unto my nephew, Gilbert Robson, son of Thomas Robson, of the city of Durham, innkeeper, who intermarried with my sister Margaret, to hold the same unto my said nephew, Gilbert Robson, his heirs and assigns for ever." The testator then bequeathed unto his nephews certain legacies, payable out of the said lands called "The Falls;" and then declared as follows:—"But I do hereby declare, that in case my said wife, Elizabeth, should at my decease be pregnant with a child or children, that then, and in such case, all and every my devise to my said nephew, Gilbert Robson, of my said messuage and premises, and of my said freehold lands and premises, and my legacies of 30*l.* a piece to my said nephews, Thomas Robson, William Robson, and John Robson, shall totally cease, and shall not be raised and paid: and if it should so happen that the said Elizabeth, my wife, should be brought to bed of any such child or children after my decease, then I give all and singular the same messuage, lands, tenements, and hereditaments, so by me heretofore devised; to such one child, if more

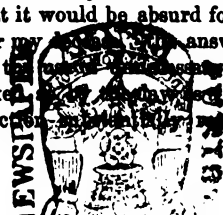
than one, as shall be a son, the elder of which to be preferred, as in seniority of age and priority of birth."

It was held upon this will, that the testator had shewn in his will no intention to revoke the devise to his nephew, and to give his estates to any child of his own, except in the single instance of his having a posthumous child. Now, if the language of the will could not by any possibility be reasonably so construed as to shew any other intention, then there could be nothing to say against the decision of the learned judges in *Blakiston v. Haslewood*; for, unquestionably, it would be too much, if the testator had distinctly, by his language, limited the gift to his children, to children born after his decease, to say that he must have intended something else, and, in effect, to make him say, quod voluit sed non dixit. But it appears to us, that a construction may be put upon the very words of this will, of which they are rationally capable, and which would be consistent with the intention of devising to the testator's children born at any time.

It is admitted that there is a clear and precise gift to the wife for her life, with remainder to the testator's nephew. We admit, also, that there is no specific revocation of the gift to the nephew, except in the single event of the wife being pregnant at the testator's decease. But the question is, whether there is not a substantive gift to the testator's children, by his said wife, born at any time during his life. The second clause is, "And if it should so happen that the said Elizabeth my wife should be brought to bed of any such child or children after my decease then I give all and singular" &c.

Now, this clause has been read as if it necessarily referred to the birth of children after the testator's decease. But it does not necessarily do so. It may be read thus—"And if it should happen that the said Elizabeth, my wife, should be brought to bed of any such child or children,—after my decease then I give" &c.

If it be said that it would be absurd for a testator to say, "I give after my death," the answer is, firstly, that it is merely the construction of the words, which is not to be looked upon as a sufficient reason for defeating a construction which is reasonable; and,



secondly, that however absurd, it is a very common form of expression in inartificial wills. The clause thus read would be clearly a substantive gift to the children of the testator born at any time, if the word "such" were eliminated; and the only difficulty is in the effect of the word "such." Does that word refer to the child or children spoken of in the revocation clause, in reference to their quality of posthumous children?—for if it does, the decision in *Blakiston v. Haslewood* is right; and if it does not, then the decision is, we humbly submit, wrong.

Now, we would submit, not merely that the words "such children," used in the gift clause, do not necessarily refer to the children described in the revocation clause, but that they cannot rationally be referred to them. The child or children referred to by the testator in the revocation clause must necessarily be the child or children of one birth, because the testator is speaking of the child or children of his wife with which she should be actually pregnant at his decease. But the child or children contemplated in the gift clause must, on the contrary, necessarily be the children of successive births, because the testator says, that, if there is more than one child, the gift is to be to such one as shall be a son, the elder to be preferred, "as in seniority of age and priority of birth," so that the testator is here evidently contemplating the births of several children successively; otherwise he would not have made any reference to seniority. If, then, the expression "such children" does not so connect the gift clause with the revocation clause as to shew that the testator meant to give only to such children as his wife should be enceinte with at the time of his death, the word "such" is either a superfluous word, referring to no particular class of children, and to be rejected, or it refers merely to the antecedent clause, so far as "such children" means "children of the testator's wife;" and in either view, the gift is to the only child, if there should be but one; and to the son, and the eldest son, if there should be several children successively born. The case, then, stands thus:—There is, first, a clear gift to the testator's nephew in remainder; there is a specific revocation of that gift on an event which has not happened, and therefore the gift is not specifically revoked; but there is a subsequent clear gift, inconsistent with the gift to the nephew, and the gift to the nephew is therefore, by implication, revoked.

It would be probably urged, no doubt, that the more natural construction of the language of the last clause of the will is to refer the words "after my decease" to the immediate antecedent, and to read the will as it is punctuated in the report of the case referred to. But, in the first place, we do not know on what grammatical principle that construction can be said to be the most natural; but even if it were, the Court will not always take the most obvious construction of language as the true one, but, if it finds language rationally capable of two constructions, will adopt that which will effectuate the most natural intention of a testator. Here there can be no question that the natural intention of the testator, that which would be collected as a probable intention from his position, would be to provide for his children in preference to his nephew; and

if the Court sees that the language will bear a construction effectuating such an intention, it will be astute to construe the words in a way from which it can collect the expression of a natural intention, rather than construe them in a way more popular and obvious, if, from the construction so to be adopted, the Court would be forced to collect a non-natural intention.

The case appears, according to the report, to have been argued as if the testator's daughter only claimed as his heiress-at-law; on the assumption, we presume, that the devise over, on the wife having children, did not pass a fee. We conceive, however, that the devise to the children did pass a fee, because the devise to the nephew, besides giving him the fee in the "Falls" in terms, gave him all other the testator's real estate; and the devise to the children gave all the lands, &c., and hereditaments devised, to the nephew—that is, the "Falls," and all the testator's estate therein, as well as in any other lands.

DESCENT OF A SHARE IN COPARCENERY.

THE two questions as to the course of descent among coparceners, which were discussed at some length in 10 Jur., part 2, pp. 94, 112, 132, 160, 173, 222, have recently been judicially decided. In the case of *Cooper v. France* (14 Jur., part 1, p. 215) the facts were these:—The purchaser of a freehold estate in fee simple died intestate in 1826, leaving Ellen Cooper and Sarah France his co-heiresses-at-law. Ellen Cooper obtained seisin, and died in 1835 intestate, leaving George Cooper her eldest son. Sarah France died in 1839 intestate, leaving Benjamin France her eldest son. George Cooper then died, and his devisees filed a bill against Benjamin France for a partition, and claimed to be entitled to five-eighths of the entirety, viz. two-eighths under the descent of a moiety from Ellen Cooper, and three-eighths under the descent from Sarah France of her original moiety augmented by the two-eighths which she had taken as one of the co-heirs of Ellen Cooper. Sir L. Shadwell, V. C., held, that the shares of Ellen Cooper and Sarah France descended wholly to their respective sons, in the same manner as they would have done before the stat. 3 & 4 Will. 4, c. 106. But his Honor gave reasons for his decision which render it utterly worthless as an authority. We will cite the judgment, premising that the statute in question is intitled "An Act for the Amendment of the Law of Inheritance," and, among other alterations of the law, enacts, "that in every case descent shall be traced from the purchaser;"—that an heir may take an estate from his ancestor by devise;—that a limitation in a conveyance to the grantor and his heirs shall confer an estate by purchase;—that the descent of an estate limited to the heir of A. in fee, as purchaser, shall take place as if A. had been the purchaser; that descent between brothers and sisters shall be traced through the parent;—that a father may be heir to his son;—that a relation of the half blood may inherit, &c. The contrary rules of the common law might have been selected as examples of rules absolutely inflexible and free from doubt. This being the act to be construed, the Vice-Chancellor said, "I cannot bring myself to entertain the least doubt that Ellen's four-eighths descended on her son George. I do not see how any one acquainted with the principles of law can doubt. Can you suppose that an act of Parliament, by any portion of it, meant to introduce doubt into a case that was so plain before the act passed? Was it not the meaning

of the act to leave the law of inheritance, in such parts as were plain, absolutely as it was found, and only to alter it where it was doubtful? Just observe what is the purview—"To the intent that the pedigree may never be carried back further than the circumstances of the case and the nature of the title may require," (that is the general object, stated in distinct words), 'the person last entitled shall, for the purposes of this act, be considered to have been the purchaser thereof, unless it shall be proved that he inherited the same.' There the act is speaking of what ought to be the rule in cases where the thing is doubtful, but not where the thing is so plain that nobody could doubt. You must make it consistent; and if you see an act was passed to make the thing clear, do not say that the act was to make it doubtful. On looking through the act, that portion of the 2nd section appears to me so plain that I shall not send the case to law." Yet the opinion of the majority of conveyancers was known to be the other way. This is one of the judgments (unfortunately too many) of the late amiable and most unequal judge, of which the only thing to be said is, that it is a pity that any one thought it necessary to introduce them to the world, and a greater pity that they cannot be at once decently buried.

In *Paterson v. Mills*, (15 Jur., part 1, p. 1), Sir J. L. Knight Bruce, V.C., decided, in accordance with the almost unanimous opinion of the Profession, that, under the old law, when a coparcener died without having acquired seisin of her share, (of an estate in remainder), her son was entitled to stand in her place, so as to take the whole of her share. The decision is more satisfactory than the reasons assigned for it in the reported judgment. It does not seem to have been noticed in the case, that in it either the same question, or the question discussed in *Cooper v. France*, arose under the Statute of Inheritance. It appears by the pedigree in that case, that Mary Paterson, one of the coparceners, died in 1842, (after the death of the tenant for life), leaving a son, one of the plaintiffs in the cause. Now, if Mary Paterson had never acquired actual seisin of her share, the case was the same as under the old law; and there being no new descent from her on her death, her son stood in her place, and took the whole of her share. But if (as is most probable) she had acquired actual seisin, then the question as to the effect of the 2nd section of the act arose. The point was not taken.

A correspondent, in the following letter, seeks to revive the discussion on the effect of the Inheritance Act. As this important question remains untouched by decision, (for *Cooper v. France* must be treated as a nullity), and as the writer's argument is ingenious, and wears the appearance, at least, of novelty, we shall, perhaps, be excused for inserting it.

"TO THE EDITOR OF 'THE JURIST.'"

"Sir,—Although it seems probable that the late decisions in *Cooper v. France* (14 Jur., part 1, p. 215) and *Paterson v. Mills* (15 Jur., part 1, p. 1) will be generally acquiesced in by the Profession, yet it may not be useless briefly to review the position of the disputants in the controversy which those cases will have closed. As the notion of the subdivided descent of a reversion (which was the question in *Paterson v. Mills*) seems to have been quite given up, the following observations are mainly addressed to the question in *Cooper v. France*, viz. whether, when a parcener dies seised after the time when the late act for the amendment of the law of inheritance came into operation, her entire

share descends to her issue, or is subdivided between her issue and the other parceners.

"The argument against the exclusive title of the issue is simply this—it is said that the new act requires the succession of the heir of the purchaser, that is, his complete heir, in every case, and therefore even in this particular case, where the subject of descent happens to be the single share of a deceased parcener. Such being the requirement of the act, the issue of the deceased parcener cannot take the entirety of the parent's share, because (it is said) the issue is not complete heir. To this it is answered, that the issue is complete heir of the purchaser, *quoad the parent's share*, and is, therefore, complete heir for the present purpose; for it is denied that there is anything in the act to make requisite a more absolute heirship. The enactment is satisfied, it is contended, if the person to fill the vacant succession be heir to the land or undivided share descending, although he be not heir simpliciter.

"Now, to say a few words on this last proposition. If the claimant must be heir simpliciter, the act has abolished descent according to the customs of gavelkind and borough English. On the other hand, if you may look to the subject of descent in any case, you may and must in all. If you may take notice that the subject of descent is gavelkind land, you may take notice that it is the single share of a deceased parcener; and he who is merely heir to the land, and not to the person, is excluded in both cases if he be excluded in either. The heir in borough English is a special heir, whose title is by custom. Just in the same way, the son of a deceased parcener is alleged to be a special heir, whose title is at common law. It can be no objection to the claim of either, that he is not absolutely heir. A claimant may be heir to the land, i.e. heir to take by descent, although he is not absolutely heir, i.e. heir to take by purchase. This is precisely what is alleged to be the position of the issue of the deceased parcener; and his claim must be heard, for there is not a pretence for saying that the act has disentitled the heir to take by descent, in favour of the heir to take by purchase.

"The question then is, whether the issue be actually heir to take by descent, i.e. whether the issue be heir to the common ancestor, *quoad the parent's share*. In favour of the existence of this qualified heirship, there is, to begin with, the very simple, but as it seems sufficient ground, that parceners have, as between themselves, separate titles to distinct shares, as well before as after partition; which in itself seems to imply their separate heirship, *quoad those shares*. And if such separate heirship be admitted in the mother*, it must be attributed also to her issue by virtue of the doctrine of representation. But, leaving such abstract grounds, there is no want of direct authority on the subject. The citation of the Year Book, 35 Hen. 6, 23, by a former correspondent of THE JURIST, writing under the signature of "J.W.," (see vol. 10, part 2, p. 71), is very much to the purpose. The book shews, by an incidental but satisfactory reference, that where a man died before entry leaving two daughters, and one of the daughters afterwards died before entry leaving two daughters, the aunt was entitled, not to three-fourths, (as on the opinion controverted by "J.W." she would have been), but to a moiety only, and that the daughters of the deceased sister took the other moiety. This authority is admitted on all hands, it is believed, to justify a decision like *Paterson v. Mills*. But its application to cases under the new law has been met by an objection more subtle than sound, which it is requisite to consider. The objectors boldly take their stand on the po-

* It is almost superfluous to point out that this preamble has nothing to do with the enactment, "that in every case descent shall be traced from the purchaser." It follows that enactment, and introduces a subordinate provision that the descent may be traced from the last known purchaser—a provision not affecting the question discussed in *Cooper v. France*.

* The fact that the attainment of one daughter in the lifetime of her father did not prevent the descent of a moiety to the other daughter, (Co. Litt. 163. b.), distinctly exhibits the separate heirship.

sition, that *there is no descent until seisin*. Where there is no mesne seisin, as in the case in the Year Book, or in the case of a reversion, or in cases under the new law where the parceners have not entered—for these several cases are not distinguishable—they admit it to be established that the issue take *as large* a share as the parent, because, in the eye of the law, the whole inheritance has yet to descend, the case being, in effect, the same as if the parent had died in the lifetime of the common ancestor. But they say the case cited from the Year Book falls short of proving that the issue took *the very share* of the parent, i. e. of proving the proposition, that the issue is complete heir to the common ancestor, quoad that share; for, there being no descent until seisin, the true view is, that the parent *never took a share at all*.

"Now, for one notable purpose, every one knows that descent was not consummated until entry. The mesne heir, not having been actually seised, did not become a terminus of descent. But it is strange reasoning, that there is no descent at all because the descent does not make a *possessio fratris*. Who can deny that the law cast the freehold upon the heir, and that, before entry, he had a seisin in law, though not an actual seisin? There is no more certain principle than that a descent of the right took place, to use the pointed expressions of Bracton, fol. 370, "*Statim et in momento post mortem antecessoris*." Now, in the case of parceners, what was this right which descended? Clearly the right to a specific though undivided part of the common inheritance. This share was *in* the deceased parcener for almost every purpose: it was in her to release, to forfeit, to incumber, to devise. Her judgment debt bound it. Though a male parcener died before entry, his widow was dowerable. Even curtesy might attach in certain cases. But, after all, nothing can strengthen the simple proposition, that a parcener dying before entry was seised in law of her undivided share. Now, that identical share, the right to which thus vested in the parent, devolved on her issue. This is as clear as the other point. The acts of the deceased parcener, or the operations of law upon her share, affected exclusively the right of the issue. If the act were an absolute alienation, or such as to constitute the parent a new terminus of descent, the issue was wholly dismissed from all participation in the remainder of the common inheritance. If it were a mere incumbrance, which did not break the descent, then it attached solely on the share taken by the issue; which, being thus plainly ear-marked, must needs be identified with the share of the parent. Where there was no other act in the law to identify the shares, there was still the first descent of the right to the parent, to render the share taken by the issue specific and distinguishable. These considerations, it is submitted, shew the case in the Year Book to be directly in point. The moiety taken by the daughters of the deceased daughter must be considered as the very share of the deceased daughter; and the case therefore proves the qualified heirship contended for.

"The foregoing reasoning, and the conclusion thereby arrived at, appear to be completely confirmed by the following passage from Bracton, fol. 373, 374, the authority of which cannot be evaded by the argument, that there is no descent until seisin, since the passage furnishes in itself a refutation of that argument, and establishes that the descent to the heirs who ultimately acquire actual seisin is not, as is pretended, an immediate descent from the propositus. The book, being about to prescribe the form of the count in a writ of right by parceners, where the common ancestor is the person last in actual seisin, proceeds thus:—*'Sometimes the count of the descent is made from the ancestor to the demandants, through several persons and several degrees down to several persons, who make,*

as it were, a single heir, as to several daughters and their issues [heredes]; and in such case the count is as follows:—'And from such an ancestor the right of the said land descended to such an one as his son and heir, and from him to his two daughters, scilicet to B, the elder and C. the younger.' And at this point let there be made in the count a division of the descent, according to the portion falling to each of the daughters, so that the count may follow each separate line, in manner following:—*'And from the said B, the right of one moiety of the said land [jus medietatis illius terre] descended to such an one, as her son and heir, and from him the right of the said moiety [jus illius medietatis] descended to his two daughters, scilicet D. and E.'* And here let there be made a subdivision. . . . *'And from the said D. the right of the said fourth part descended to such an one, as her son and heir, and from the said E. to such an one, as her son and heir.'* . . . Also let the count return to the other half, and recommence as follows:—*'And from the said C. the right of the other moiety descended to such an one, as her son and heir, or to such an one, as her daughter and heir.'* And let there be made subdivision (as above) from degree to degree, and from person to person, down to the demandants."

"Bracton's case is that of an estate in possession, but as the person last in seisin was the common ancestor, it need not be said it is not distinguishable from the case of a reversion under the old law, as *Paterson v. Mills*, nor from that of an estate in possession under the new law, like *Cooper v. France*.

"The effect of partition has not been at all considered in the controversy; probably because it has been supposed that if there had been a partition, there must have been entry. There might, however, have been partition without entry, in the case of a reversion, or other subject lying in grant; and also where the co-heirs were the King's tenants in capite, and were minors, in which latter case the lands were partitioned in Chancery. (F. N. B. 206 B.) In either case the heir of a deceased parcener was allowed to make himself sole heir to the common ancestor, in an action respecting the share allotted to his parent; as may be seen in *Maynard*, 133, 201. Thus, those who controvert the right of the issue are put in the difficult position of having to maintain that the issue is sole heir where the share is divided, but not where it is undivided.

"The chief stumblingblock in the discussion has been the doctrine, that parceners make but one heir to the common ancestor. This is obviously true as respects the common inheritance, considered as a whole; and it is also true as respects the person of the common ancestor. There is a unity of what may be called 'the heirship in gross.' But all this is plainly consistent with the several heirship which has been established to exist.

"C. W. R."

Our correspondent's statement of the grounds urged for the construction against which he contends is so complete and clear, that we need scarcely add anything to it, in order to refute his argument. We confess we do not understand the distinction which he has taken between the heir quoad the share to descend, and the heir "*simpliciter*." Except for the purposes of vesting a descent under special limitations, the distinction is unknown to our law.

Independently of such limitations, no such personage is recognised by the common law as an heir "*simpliciter*," i. e. an heir determined without reference to the estate to be inherited. The heir in each case of an ordinary descent, whether according to the general common law of the realm or by custom, or under the Inheritance Act, is the person who ought to take the particular estate in question by descent. Apart from an estate to descend, the law is ignorant of such a thing as heirship.

There is no heir paramount or par excellence. If a person dies without issue, and seised of estate A. by purchase, of estate B. by descent from his mother, of estate C. by descent from his uncle, and of estate D. by descent in gavelkind from his father, it may happen that each estate will go to a different heir, yet each heir is absolute heir, or heir "simpliciter," in respect of the estate which he takes; and in each case, except the last, each one is as much entitled to the designation "heir-at-law" as the other. In the case under discussion, of the descent of a share in coparcenery, of which share the coparcener died seised, it is perfectly plain that it is only that share which descends; that we have to find who is the heir to that share alone; that the act says the descent of that share shall be traced from the purchaser; and that the meaning of the enactment is, that the share shall devolve upon the same person or persons as would have taken it if the purchaser had, at the time of the descent in question, died seised of it, and intestate.

The vice that runs through the whole of our correspondent's reasoning is the assumption, that though the only question is about the descent of a single share, that descent ought to be traced in the same manner as if all the other shares were descending at the same time. The descent of the other shares is a thing already past and consummated. Whether in the original descent of the entirety each coparcener took, in any sense, or for any purpose, as a separate heir, is an inquiry wholly irrelevant to the point at issue.

The case of the death of a coparcener without having entered, or acquired actual seisin, is, we repeat, a case in which no new descent of that share takes place. Whether the deceased coparcener, having died without actual seisin, is regarded by the law as having been owner for any purpose, it is not material to inquire, because it is conceded, that for the purpose under consideration—the purpose of descent—such deceased coparcener was never entitled to the estate, but stood in the same position as if she had died before the common ancestor. We cannot put this more clearly than in the words of a former correspondent, (10 Jur., part 2, p. 173)—"The authorities shew, that if there is indeed a second descent in the case supposed, it is a descent which is not founded on, but, on the contrary, overreaches or effaces the prior conditional descent, with respect as well to the estate of the surviving coparcener as to that of the deceased. The descents are not successive, but the second is *substituted* for the first. A similar process is familiar in the case of a contingent or executory limitation to a class to be ascertained at a future time; as, a limitation to the children of A., to take effect in possession at the death of A. Here each child as he is born takes a vested estate, subject to be divested by the birth of a new member of the class; and yet, when all the members are ascertained, so entirely do they take, as it were, by one act, that their estate is joint if the limitation contain no words of severance. (2 Str. 1172; see Fearn's Cont. Rem. 312). So, on the death of the owner of an estate, the inheritance vests in the person or persons constituting his heir, the particular ingredients of such heir being capable of change from time to time, by death and other events, until the inheritance is fixed and the foundation for a new descent laid by the entry of the heir for the time being. A much stronger case of conditional descent was recognised by the common law, where a sister succeeded to the estate of her only brother, and her inheritance was defeated, even after entry, by the birth of a second brother. In this case, although the person last entitled did not die, the estate was 'put in motion' by way of descent." The count on a writ of right, from Bracton, on which our correspondent relies, is only an illustration of the common observation, that the subtleties of expression cannot always keep pace with the subtleties of conception. In tracing

the title through the ramifications of the pedigree, it naturally occurs to speak of each step in the process as an actual descent. If our correspondent will try, he will find it not easy to avoid this. The next page of Bracton, where the writer prescribes the mode of narrating a title by descent, derived through an intermediate ancestor, who died in the lifetime of the person last seised, affords another example of the same difficulty.

The illustration from Maynard, 133, 201, seems to be no more in point than the proposition, that before entry an heir may alienate, create charges, &c. It is useless, in a question purely of descent, to accumulate examples of other purposes for which an heir is considered as having a title before entry; while it remains an incontestable rule of law, that, for the purpose of transmitting a title to his own heir, he has no title before entry.

Court Papers.

EQUITY SITTINGS, EASTER TERM, 1851.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

| | | |
|---------------------|-----------------------------------------------------|-----------|
| Tuesday .. April 15 | Appeal Motions. | |
| Wednesday | 16 { (Petition-day).—Unopposed and Cause Petitions. | Lunatic |
| Thursday | 17 { Appeals. | |
| Wednesday | 23 { | |
| Thursday | 24 { Appeal Motions. | |
| Friday | 25 { (Petition-day).—Unopposed and Cause Petitions. | Lunatic |
| Saturday | 26 { | |
| Monday | 28 { Appeals. | |
| Tuesday | 29 { | |
| Wednesday | 30 { | |
| Thursday | May 1 { Appeal Motions. | |
| Friday | 2 { (Petition-day).—Lunatic (unopposed first). | Petitions |
| Saturday | 3 { | |
| Monday | 5 { Appeals. | |
| Tuesday | 6 { | |
| Wednesday | 7 { | |
| Thursday | 8 { Appeal Motions. | |
| Friday | 9 { (Petition-day).—Lunatic (unopposed first). | Petitions |
| Saturday | 10 { Appeals. | |
| Monday | 12 { | |
| Tuesday | 13 { Appeal Motions. | |

N.B.—The days his Lordship attends the House of Lords on Appeals excepted.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at Westminster.

| | | |
|---------------------|--------------------------------------------------------------------|--|
| Tuesday .. April 15 | Motions. | |
| Wednesday | 16 { Petitions in General Paper. | |
| Thursday | 17 { Pleas, Demurrers, Causes, Further Directions, and Exceptions. | |
| Wednesday | 23 { Ditto. | |
| Thursday | 24 { Motions. | |
| Friday | 25 { | |
| Saturday | 26 { Pleas, Demurrers, Causes, Further Directions, and Exceptions. | |
| Monday | 28 { | |
| Tuesday | 29 { | |
| Wednesday | 30 { | |
| Thursday | May 1 { Motions. | |
| Friday | 2 { | |
| Saturday | 3 { Pleas, Demurrers, Causes, Further Directions, and Exceptions. | |
| Monday | 5 { | |
| Tuesday | 6 { | |
| Wednesday | 7 { | |
| Thursday | 8 { Motions. | |
| Friday | 9 { Pleas, Demurrers, Causes, Further Directions, and Exceptions. | |
| Saturday | 10 { | |

Monday..... 12 Petitions in General Paper.
Tuesday..... 13 Motions.

Short Causes, Consent Causes, Unopposed Petitions, and Short Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Westminster.

Tuesday .. April 15 Motions.
Wednesday 16 Short Causes and Motions continued.
Thursday 17 Further Directions and Exceptions.
Wednesday 23 { Short Causes, Short Claims, and Bank-
rupt Petitions.
Thursday 24 Motions.
Friday 25 { Pleas, Demurrers, Exceptions, and
Further Directions.
Saturday 26 Petitions.
Monday 28 Causes and Claims.
Tuesday 29 { Short Causes, Short Claims, and Bank-
rupt Petitions.
Wednesday 30 Motions.
Thursday.... May 1 { Pleas, Demurrers, Exceptions, and
Further Directions.
Friday 2 { Petitions.
Saturday 3 Causes and Claims.
Monday 5 { Short Causes, Short Claims, and Bank-
rupt Petitions.
Tuesday 6 Motions.
Wednesday 7 { Pleas, Demurrers, Exceptions, and
Further Directions.
Thursday 8 Petitions.
Friday 9 Causes and Claims.
Saturday 10 Motions.
Monday 12
Tuesday 13

Before VICE-CHANCELLOR LORD CRANWORTH, at Westminster.

Tuesday .. April 15 Motions.
Wednesday 16 (Petition-day).—Adjourned Petitions.
Thursday 17 Ditto.
Wednesday 23 Causes and Claims.
Thursday 24 Motions.
Friday 25 (Petition-day).—Petitions.
Saturday 26 { Pleas, Demurrers, Exceptions, and
Further Directions.
Monday 28 Causes and Claims.
Tuesday 29 Short Causes, Short Claims, and Ditto.
Wednesday 30 Causes and Claims.
Thursday.... May 1 Motions.
Friday 2 (Petition-day).—Petitions.
Saturday 3 { Pleas, Demurrers, Exceptions, and
Further Directions.
Monday 5 Causes and Claims.
Tuesday 6 Short Causes, Short Claims, and Ditto.
Wednesday 7 Causes and Claims.
Thursday 8 Motions.
Friday 9 (Petition-day).—Petitions.
Saturday 10 { Pleas, Demurrers, Exceptions, and
Further Directions.
Monday 12 Causes and Claims.
Tuesday 13 Motions.

Before VICE-CHANCELLOR TURNER, at Westminster.

Tuesday .. April 15 Motions, Causes, and Claims.
Wednesday 16 { (Petition-day).—Petitions, Causes, and
Claims.
Thursday 17 Causes and Claims.
Wednesday 23 Motions and Ditto.
Thursday 24 Unopposed Petitions, Short Causes,
Short Claims, and Causes & Claims.
Friday 25
Saturday 26 Causes and Claims.
Monday 28
Tuesday 29

Wednesday 30 { Pleas, Demurrers, Exceptions, Further
Directions, Causes, and Claims.
Thursday May 1 Motions and Ditto.
Friday 2 { Unopposed Petitions, Short Causes,
Short Claims, and Causes & Claims.
Saturday 3 { Pleas, Demurrers, Exceptions, Further
Monday 5 Directions, Causes, and Claims.
Tuesday 6 Motions and Ditto.
Wednesday 7 Unopposed Petitions, Short Causes,
Thursday 8 Short Claims, and Causes & Claims.
Friday 9 { Pleas, Demurrers, Exceptions, Further
Directions, Causes, and Claims.
Saturday 10 (Petition-day).—Petitions, Pleas, De-
murrers, Exceptions, Further Direc-
Monday 12 tions, and Causes and Claims.
Tuesday 13 Motions and Ditto.

COMMON-LAW SITTINGS, IN AND AFTER EASTER TERM, 1861.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

1st sitting, Thursday .. April 24 and following days, at 11 } For short defended and
2nd sitting, Monday 28 undefended causes.
and subsequent days, at 11
3rd sitting, Saturday.... May 10 } For undefended causes
at half-past 9 precisely } only.

After Term.—Wednesday, May 14, at half-past 9.

LONDON.—*In Term.*

Sitting at 10, on Monday, May 12, for short defended and undefended causes.

After Term.—Thursday, May 15, to adjourn only.

N. B.—The hours of attendance at the Marshal's office of this Court will in future be from 11 till 5 during term and sittings, and from 11 to 2 during the rest of the year.

Court of Common Pleas.

In Term.

MIDDLESEX.

LONDON.

Friday April 25 Tuesday April 29
Friday May 2 Tuesday May 6

After Term.

Wednesday May 14 Thursday May 15
The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Thursday, the 15th May, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-garden, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

MIDDLESEX.

LONDON.

1st sitting, Wednesday, April 16 } 1st sitting, Monday, April 28
For undefended causes only, }
and for defended causes on }
Wednesday, April 23. } 2nd sitting, Monday .. May 5
2nd sitting, Tuesday, April 29 }
3rd sitting, Tuesday .. May 6 }

After Term.

Wednesday May 14 Thursday May 15
(To adjourn only).

The Court will sit at Nisi Prius from Thursday, April 17, to Tuesday, April 22, both days inclusive.

The Court will sit, during and after term, at ten o'clock.

COMMON-LAW CAUSE LISTS, EASTER TERM, 1851.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER HILARY TERM, 1851.

FOR JUDGMENT.

Stafford—Doe d. Shallcross v. Palmer & Wife

EASTER TERM, 1848.

Kent—Doe d. Warren & an. v. Brydges (Standing for arrangement)

FOR ARGUMENT.

MICH. TERM, 1850.

Lancash.—Reg. v. Thompson

HILARY TERM, 1851.

Midd.—Reg. v. Curtis

Lond.—Cowles v. Cashman

„ Stevwright v. Archibald

„ Elam v. North-west. Railway Co.

Tried during Hilary Term, 1851.

Midd.—Doe d. Page v. Page

SPECIAL CASES AND DEMURRERS

FOR EASTER TERM, 1851.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR JUDGMENT.

Master, Wardens, &c. of the Co. of Tobacco-pipe-makers, v. Loder

FOR ARGUMENT.

*Tarleton v. Liddell & an.

*Elliott v. Lewis

Sunderland Marine Insurance Co. v. Kearney & an. (E)

*Gabriel & ors. v. Smith & ors.

Corbett v. Massey (Arrest of judgment)

*Earl of Chichester v. Hall

Glover v. North Stafford Railway Co. (Sp. Verd.)

Smith & an. v. Losh (Award)

Morice v. Clarke

Gibson & an. v. Vernon & an.

*Weddell v. Robinson

Lowndes v. Earl Stamford and Warrington

*Lord Seymour v. Morrell

*Blair v. Ormond & an.

Barker v. Shadbolt

Same v. Same

*Doe d. Davies v. Davies

Watkins v. Great Northern

Railway Co.

Shrimpton v. Young

Rooper v. Loftus

*Cooke v. Cunliffe & an.

Rains v. Woolrych

Phillips v. Browne

*Doe d. Parsey v. Hemming

*Valpy & an. v. Oakeley

Irish South-eastern Railway

Co. v. Clarkson

Graham & ors. v. Young

*Acraman v. Hernaman

Holt v. Daw

Cooper (a pauper) v. Gardner

Collett v. London and North-

western Railway Co.

Johnson v. Clark

Stodhart & an. v. Llynor Valley

Railway Co.

Murray v. Bohn

Bernard v. Shuldham

Lloyd v. Blackburn

Lloyd v. France

*Blamire v. Hunt

North American Colonial As-

sociation of Ireland v. Mor-

rison

ENLARGED RULES

FOR EASTER TERM, 1851.

Those marked thus * are to be heard in the Bail Court.

Whittington d. Whittington v. Hards

*Ex parte Frisby

Burr v. Roberts

*Roberts v. Kemp

*In re France

*Man v. Beckerfield

Reg. v. Manchester and South-

port Railway Co.

*In re Greatwood, and Birmingham and Oxford Railway Co.

Reg. v. Chapman & an.

*Same v. Justices of Middle-

sex

*Same v. Judge of the County

Court at Oswestry

Same v. Hawks

CROWN PAPER, EASTER TERM, 1851.

Yorkshire Reg. v. Godfrey.

Manchester ... ——— Manchester and South Junction Railway Company.

Middlesex Attorney-Gen. v. Great Western Railway Co.

Lancashire Reg. v. Lancashire and Yorkshire Railway Co.

London Bessell.

Same Same.

Cambridgeshire Coward.

Rochester ——— Dean and Chapter of Rochester.

Yorkshire Reg. v. London and North-western Railway Company.

Same ——— Overseers of the Poor of Wakefield.

Same ——— Inhabitants of St. Maurice.

Romney Marsh Tolhurst.

Kent ——— Bills.

Middlesex ——— Inhabitants of St. Pancras.

Pembrokeshire ——— Inhabitants of St. Mary.

Yorkshire ——— Inhabitants of Alkington.

London ——— Welch & Others.

Yorkshire ——— Inhabitants of Ossett.

Lancashire. ... ——— Inhabitants of Wooddale.

Norfolk ——— Norfolk Railway Company.

Breconshire ... ——— Inhabitants of Llanelly.

Lancashire. ... ——— Booth.

Same ——— Same.

Cheshire ——— Dale.

Court of Common Pleas.

NEW TRIALS.

MICHAELMAS TERM, 1848.

Surrey—Hamilton v. Cochrane (To stand over, parties in course of arranging).

HILARY TERM, 1851.

London—Southall v. Rigg

DEMURRER PAPER.

Friday, April 25.

Robinson v. Marquis of Bristol

Rawley v. Kent

Hooper v. Loftus

ENLARGED RULES.

To first Day.

In the matter of Voales

CUR. ADV. VULT.

Electric Telegraph Company v. Brett.

Court of Exchequer.

SITTINGS—EASTER TERM, 1851.

Days in Term.

| Days in Term. | Ben. |
|---------------------|--------------------------------------------|
| Tuesday .. April 15 | Peremptory Paper after Motions. |
| Wednesday..... 16 | Motions and Peremptory Paper. |
| Thursday..... 17 | Motions and New Trial Paper. |
| Wednesday..... 23 | Same. |
| Thursday..... 24 | Same. |
| Friday..... 25 | Special Cases and Demurrers. |
| Saturday..... 26 | Motions and New Trial Paper. |
| Monday..... 28 | Demurrers and Special Cases. |
| Tuesday..... 29 | Errors, Motions, and New Trial Paper. |
| Wednesday..... 30 | Special Cases and Demurrers. |
| Thursday.... May 1 | Motions and New Trial Paper. |
| Friday..... 2 | Demurrers and Special Cases. |
| Saturday..... 3 | Crown Cases, Motions, and New Trial Paper. |
| Monday..... 5 | Special Cases and Demurrers. |
| Tuesday..... 6 | Motions and New Trial Paper. |
| Wednesday..... 7 | Demurrers and Special Cases. |
| Thursday..... 8 | Motions and New Trial Paper. |
| Friday..... 9 | Same. |
| Saturday..... 10 | Same. |
| Monday..... 12 | Same. |
| Tuesday..... 13 | Same. |

Days in Term.

Nisi Prius.

| | |
|---------------------|---------------------------|
| Wednesday, April 16 | Middlesex first Sitting. |
| Monday..... 28 | London first Sitting. |
| Tuesday..... 29 | Middlesex second Sitting. |
| Monday May 5 | London second Sitting. |
| Tuesday 6 | Middlesex third Sitting. |

NEW TRIALS.

FOR JUDGMENT.

Lafone v. Ellis
North-western Railway Co. v.
M'Michael
Embrey v. Owen

FOR ARGUMENT.

Moved Easter Term, 1850.
Midd.—Hart v. Baxendale
" Buessard v. Brother-
ton
Lond.—Wood v. Rowcliffe
" Baker v. Boddington
Midd.—Beldon v. Campbell
" Wilks v. Wyatt
" Longmeid v. Holliday
Moved Hilary Term, 1851.
Midd.—Billen v. Bickerstaff
" Leneghan v. Capone

Midd.—Laidlaw v. Leach
" Spradbury v. Gillain
Lond.—Great Western Rail-
way Co. v. Budd
" Grapes v. Bunney
" Same v. Same
" Graham v. Iscmonger
" Wear v. Barnett
" Morgan v. Whitmore
" Burmester v. Norris
" Graham v. Mason

*Moved after the 4th Day of
Hilary Term, 1851.*

Midd.—Smith v. Stevens
" Smith v. Howell
" Jeakes v. White
" Read v. Legard
Lond.—White v. Mullett

PEREMPTORY PAPER.

*To be called on the first Day of Term after the Motions,
and to be proceeded with the next Day, if necessary, before
the Motions.*

Jones v. Harrison | Blair v. Jones
Cunningham v. Hudson

SPECIAL PAPER.

SPECIAL CASES.

FOR JUDGMENT.

O'Brien v. Kenyon
Ralli v. Dennistoun

FOR ARGUMENT.

Doe d. Pottow v. Tucker
Doe d. Patrick v. Beaufort
Vauxhall Bridge Co. v. Sawyer
Simpson v. Carlisle
Montoya v. London Assurance

New Cases entered for Easter Term.

Micklethait v. Winter
Mehew v. Bone
Clay v. Rufford
Cannan v. South-eastern Rail-
way Co.
Great Northern Railway Co.
v. Manchester, Sheffield, &
Lincolnshire Railway Co.

DEMURRERS.

FOR JUDGMENT.

Allpison v. Prest
Ellen v. Topp

FOR ARGUMENT.

Fairless v. York, Newcastle,
and Berwick Railway Co.
Key v. Thimbleby

Bank of Australasia v. Fraser
Jolly v. Cook
Stocks v. Mayor of Halifax
Woodhames v. Earl of Liver-
pool
Kirk v. Unwin
Devereux v. Emery

London Gazettes.

TUESDAY, APRIL 8.

BANKRUPTS.

GEORGE SMELLIE, High-street, Shadwell, Middlesex, silversmith and general salesman, dealer and chapman, April 17 and May 15 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Taylor and Collison, 28, Great James-st., Bedford-row.—Petition dated March 10.
ROBERT PEACH, Thorney, Isle of Ely, Cambridgeshire, butcher and cattle salesman, dealer and chapman, April 17 and May 15 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Robinson, 5, South-square, Gray's-inn.—Petition filed April 7.
WILLIAM COX, late of Throgmorton-street, London, but now of Blomfield-terr., Harrow-road, Middlesex, stock and share broker, April 16 at 11, and May 20 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Rye, 16, Golden-square.—Petition filed April 4.
JAMES THOMAS HOBSON, Wellingborough, Northamp-tonshire, corn merchant, coal merchant, dealer and chapman, April 19 at 11, and May 29 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lawrence & Co., 14, Old Jewry-chambers, London.—Petition dated April 5.

WILLIAM ROBINSON, late of Ovington-square, Brompton, Middlesex, and Trinity-sq., Tower-hill, London, now a prisoner in the Queen's Prison, Surrey, corn factor, dealer and chapman, April 19 at 12, and May 29 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Bennett, 7, Furnival's-inn, London.—Petition dated April 2.

GEORGE FREDERICK JONES, East Halsey, Berkshire, surgeon, apothecary, dealer and chapman, April 15 at 11, and May 20 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Baylis & Drewe, 22, Redcross-street.—Petition filed March 29.

GEORGE STOCKBRIDGE, Oxford-st., Middlesex, draper, dealer and chapman, (trading under the firm of George Stockbridge & Co.), April 15 at 2, and May 20 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Lawrence, 60, Bread-st., Cheapside.—Petition filed March 29.

JAMES HILL, Holcombe Regus, Devonshire, linendraper and grocer, April 16 and May 12 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Fox, Exeter.—Petition filed April 4.

JOHN M'LEAN, Liverpool, commission merchant, broker, dealer and chapman, (trading under the firm of John M'Lean & Co.), April 17 and May 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Littledale & Bardwell, Liverpool.—Petition filed April 3.

MEETINGS.

Thos. S. Dickinson and Robt. C. Dickinson, Gresham-st., London, and Leeds, Yorkshire, warehousemen, May 1 at 2, Court of Bankruptcy, London, and ac.; May 6 at 11, div.—Samuel Jeffries, Eltham, Kent, maltster, April 19 at 11, Court of Bankruptcy, London, and ac.—Thomas Harris, John-street, America-square, London, merchant, April 19 at 11, Court of Bankruptcy, London, and ac.—Jas. Henry Lemere, Maldon, Essex, draper, April 19 at 11, Court of Bankruptcy, London, and ac.—George Bonny, Gravesend, Kent, licensed victualler, April 19 at 11, Court of Bankruptcy, London, and ac.—Wm. Murdoch, Bristol, draper, April 21 at 11, District Court of Bankruptcy, Bristol, and ac.; May 1 at 11, div.—J. Rawling, Selby, Yorkshire, shoemaker, April 29 at 12, District Court of Bankruptcy, Leeds, and ac. and fin. div.—G. F. Allmey, Sheffield, Yorkshire, hostler, April 19 at 10, District Court of Bankruptcy, Sheffield, and ac.—Robert Day, Doncaster, Yorkshire, innkeeper, April 19 at 10, District Court of Bankruptcy, Sheffield, and ac.—William Daniel Evans, Broadwindsor, Dorsetshire, butter merchant, April 29 at 11, District Court of Bankruptcy, Exeter, and ac. and div.—John Bryant Ryder Durant, Stogursey, Somersetshire, grocer, April 29 at 11, District Court of Bankruptcy, Exeter, and ac. and div.—Samuel Firth, Leeds, Yorkshire, linendraper, April 29 at 11, District Court of Bankruptcy, Leeds, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Carter, Manchester-terrace and Upton-villas, Kilburn, Middlesex, builder, April 30 at 11, Court of Bankruptcy, London.—Thomas Seymour Dickinson and Robert Cooper Dickinson, Gresham-street, London, and Leeds, Yorkshire, warehousemen, May 1 at 2, Court of Bankruptcy, London.—Wm. Swadaby, Kingston-upon-Hull, millwright, April 30 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—Rich. Boyle the younger, Kingston-upon-Hull, merchant, April 30 (and not the 13th, as before advertised) at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—William Neck the younger, Torre, near Torquay, Devonshire, corn dealer, May 1 at 1, District Court of Bankruptcy, Exeter.—George Shephard, Modbury, Devonshire, linendraper, May 1 at 1, District Court of Bankruptcy, Exeter.—James Dixon, Morley, Batley, Yorkshire, dyer, May 1 at 11, District Court of Bankruptcy, Leeds.—William Starkey, Huddersfield, Yorkshire, woolstapler, May 1 at 11, District Court of Bankruptcy, Leeds.—James Bell, Leyburn, Yorkshire, draper, May 1 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Richard Green the younger, Brighton, Sussex, ironmonger.—John Colson, Milton, near Gravesend, Kent, out of business.—F. F. Vouillon, Princes-street, Hanover-square, Middlesex, court milliner.—Kay Dimdale, Oxford-street, Middlesex,

saddler.—*William Randall*, Manchester, calico printer.—*Robert Norris Jones*, Liverpool, merchant.

SCOTCH SEQUESTRATIONS.

Malcolm Smith, Glasgow, ship agent.—*Robert Cuthbertson*, Dunfermline, manufacturer.—*Andrew Baxter*, Rosneath, near Invergordon, farmer.—*John Mc Lennan*, deceased, Lyndale, Island of Skye.—*William Frame*, Glasgow, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel George Ellerd, Chenies, Buckinghamshire, plumber, April 11 at 11, County Court of Buckinghamshire, at Chesham.—*Henry Charles Curtis*, Great Marlow, Buckinghamshire, surgeon, April 15 at 11, County Court of Buckinghamshire, at High Wycombe.—*George Newlove*, Scarborough, Yorkshire, servant, April 17 at 10, County Court of Yorkshire, at Scarborough.—*William Kennett Beauchamp*, otherwise *Beecham*, Cirencester, Gloucestershire, portrait painter, April 24 at 11, County Court of Gloucestershire, at Cirencester.—*John Mills*, Brimsfield, Gloucestershire, out of business, April 24 at 11, County Court of Gloucestershire, at Cirencester.—*William Crouch*, Hastings, Sussex, butcher, April 21 at 11, County Court of Sussex, at Hastings.—*John Glossop*, Ilkeston, Derbyshire, carrier, April 17 at 10, County Court of Derbyshire, at Belper.—*William Henry Bell*, Derby, carpenter, April 17 at 10, County Court of Derbyshire, at Belper.—*William Nelson Procter*, Manchester, cotton yarn agent, April 22 at half-past 10, County Court of Lancashire, at Manchester.—*Joseph C. Renshaw*, Ardwick, Manchester, in no business, April 22 at half-past 10, County Court of Lancashire, at Manchester.—*Frederick Gathergood*, Torrington St. John's, Norfolk, labourer, April 22 at 6, County Court of Norfolk, at King's Lynn.—*Thos. Young*, Downham Market, Norfolk, sub-contractor, April 22 at 6, County Court of Norfolk, at King's Lynn.—*David Wortley*, King's Lynn, Norfolk, carter, April 22 at 6, County Court of Norfolk, at King's Lynn.—*John Wynne*, Scarborough, Yorkshire, shoemaker, April 17 at 10, County Court of Yorkshire, at Scarborough.—*Thomas Savage* the younger, Alcester, Warwickshire, gardener, April 17 at 2, County Court of Warwickshire, at Alcester.—*Frances Owen*, Stockingford, Nuneaton, Warwickshire, baker, April 28 at 12, County Court of Warwickshire, at Nuneaton.

Saturday, April 5.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Edward Holladay, Alvechurch, Worcestershire, builder, No. 31,942 C.; *Joseph Burford*, new assignee, in place of *John Burford*, late assignee, deceased.—*Henry Guy*, Ipswich, Suffolk, attorney-at-law, No. 73,061 C.; *Fred. Phipps*, assignee.—*Edward Davies*, Trefonnen, Oswestry, Shropshire, lime burner, No. 73,394 C.; *Frances Jones*, assignee.—*John A. Green*, Wardrobe-terr., Doctors'-commons, London, licensed victualler, No. 62,140 T.; *John Sinclair*, assignee.—*Wm. C. Banks*, Lee, Kent, builder, No. 73,327 C.; *George Carter*, assignee.—*Thomas H. Bennett*, Cheltenham, Gloucestershire, builder, No. 73,348 C.; *Wm. Hill*, assignee.—*John Wright*, Manchester, grocer, No. 73,213 C.; *Moss Samuel*, assignee.—*John Webb*, Burton-upon-Trent, Staffordshire, tailor, No. 73,243 C.; *Hiram Brook*, assignee.

Saturday, April 5.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George James Parker, Tavistock-street, Covent-garden, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*George Nott*, Cornwall-road, Lambeth, Surrey, carpenter: in the Gaol of Horsemonger-lane.—*John Over*, Princess-square, Lambeth, Surrey, commission agent: in the Gaol of Horsemonger-lane.—*Frederick E. Kelsey*, Marine-street, Dockhead, Bermondsey, Surrey, dairyman: in the Gaol of Horsemonger-lane.—*George Beardsall*, Kent-st., Southwark, Surrey, collector of bones: in the Gaol of Horsemonger-lane.—*Edmund Cook*, South-row, New-road, St. Pancras, Middlesex, publican: in the Debtors Prison for London and

Middlesex.—*Wm. Henry King*, Silver-street, Golden-square, Middlesex, victualler: in the Debtors Prison for London and Middlesex.—*William Westley*, Bartlett's-buildings, Holborn, London, shoe factor: in the Queen's Prison.—*Sarah A. R. Allen*, Leeds, Yorkshire, out of business: in the Gaol of York.—*James Meeks*, Sutton, Isle of Ely, Cambridgeshire, blacksmith: in the Gaol of Cambridge.—*John Newbegin*, Scarborough, Yorkshire, grocer: in the Gaol of York.—*John Rosser*, Llwynmoch, Penderyn, Brecknockshire, miner: in the Gaol of Brecon.—*Thos. Arscott*, Chester, joiner: in the Gaol of Chester.—*Thos. Fredk. Beales*, Manchester, lodging-house keeper: in the Gaol of Lancaster.—*Jas. Fitzgerald*, Congleton, Cheshire, assistant to a publican: in the Gaol of Chester.—*Geo. Steward*, Brighton, Sussex, painter: in the Gaol of Lewes.—*Richard John Smith*, Gravesend, Kent, auctioneer: in the Gaol of Maidstone.—*Frank Marsden*, Horbury, near Wakefield, Yorkshire, cloth manufacturer: in the Gaol of York.—*John Wilson*, Horbury, near Wakefield, Yorkshire, cloth manufacturer: in the Gaol of York.—*John Beecroft*, Bradford, Yorkshire, clerk to timber merchants: in the Gaol of York.—*George Beecroft*, Bradford, Yorkshire, out of business: in the Gaol of York.—*Ann Beecroft*, Bradford, Yorkshire, out of business: in the Gaol of York.—*Jas. Bradbury*, Astonley, near Huddersfield, Yorkshire, clothier: in the Gaol of York.—*William Hensley Bond*, Kingwinford, Staffordshire, licensed victualler: in the Gaol of Coventry.—*George Day*, Leeds, Yorkshire, fruiterer: in the Gaol of York.—*Wm. Denison*, Yeadon, near Leeds, Yorkshire, clothier: in the Gaol of York.—*Benj. Horner*, Aston, Warwickshire, butcher: in the Gaol of Coventry.—*George Alexander Von Dommer*, Newcastle-upon-Tyne, merchant: in the Gaol of Newcastle-upon-Tyne.—*Richd. Ward*, Birmingham, tailor: in the Gaol of Coventry.—*Wm. Abson*, York, out of business: in the Gaol of York.—*Benj. Hinckiffe*, Little Moor, Pudsey, near Leeds, Yorkshire, cloth manufacturer: in the Gaol of York.—*Wm. Ward*, York, tailor: in the Gaol of York.—*J. Bedford*, Warley, near Halifax, Yorkshire, brewer: in the Gaol of York.—*James Dootson*, Bolton-le-Moors, Lancashire, cotton waste dealer: in the Gaol of Lancaster.—*Joseph Dutton*, Birmingham, retail brewer: in the Gaol of Coventry.—*Charles Mosley*, Manchester, joiner: in the Gaol of Lancaster.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 15 at 11, before the CHIEF COMMISSIONER.

Adjourned.

Chas. Christian Schleiermacher, Lake's-cottages, Downham-road, Kingland-road, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, April 24 at 2.

Joseph Dutton, Birmingham, out of business.—*Benjamin Horner*, Aston, butcher.—*Richd. Ward*, Birmingham, tailor.—*Thompson Wainwright*, Birmingham, town traveller.—*Wm. Hensley Bond*, Brierley-hill, Kingwinford, Staffordshire, wine merchant.—*Joseph Edwards*, Birmingham, confectioner.

At the County Court of Warwickshire, at WARWICK, April 25 at 10.

Wm. Hadfield, Leamington Priors, clock maker.

FRIDAY, APRIL 11.

BANKRUPTS.

ROBERT GADESSEN, Brompton-square, Middlesex, and now or late of the Lion Colliery, Bettws and Llanelly, Carmarthenshire, coal merchant, April 25 at half-past 11, and May 23 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Cobb, Brecon; Lloyd, 36, Milk-street, Cheapside.—Petition dated March 29.

FREDERICK ERNST DANIEL HAST, Aldermanbury, London, merchant and commission agent, dealer and chapman, May 2 at 12, and May 29 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Nicholson & Parker, 48, Lime-street.—Petition dated April 1.

WILLIAM PRANGLEY, New Sarum, Wiltshire, music seller, April 28 and May 23 at half-past 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Radcliffe, Salisbury; Edwards & Radcliffe, 8, Delahay-street, Westminster.—Petition filed April 13.

WILLIAM MATTHEWS HILL, Charlton-place, Islington, Middlesex, builder, dealer and chapman, (carrying on business under the style or firm of William Matthews Hill & Son), April 28 at half-past 11, and May 23 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Parker & Co., 17, Bedford-row.—Petition filed April 7.

JOHN HORWELL, Lower-marsh, St. Mary, Lambeth, Surrey, cheesemonger, April 19 at 1, and June 2 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Goddard & Eyre, 101, Wood-street, Cheapside.—Petition dated March 24.

WILLIAM ANDREWS, Liverpool, commission merchant, dealer and chapman, April 14 and May 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Anderson & Collins, (and not Williams, as before advertised), Liverpool.—Petition filed March 26.

ROBERT ELLISON GORST, Rock Terry, Cheshire, apothecary, dealer and chapman, April 23 and May 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Duncan & Squarey, Liverpool.—Petition dated April 3.

THOMAS CAVE, South Kilworth, Leicestershire, innkeeper, farmer, grazer, dealer and chapman, April 24 and May 14 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. W. F. Wratlaw & C. E. Wratlaw, Rugby.—Petition dated April 4.

JOSEPH MANN, Warwick, victualler, dealer and chapman, April 29 and May 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Smith, Birmingham.—Petition dated April 10.

GEORGE POWLES LAND, Meeth, Devonshire, dealer in seeds, dealer and chapman, April 25 at 1, and May 21 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Burd, Okehampton; Terrell, Exeter.—Petition filed April 1.

WILLIAM FRUDD, Barnaley, Yorkshire, draper, dealer and chapman, May 1 and 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Atkinson & Co., Manchester; Bond & Barwick, Leeds.—Petition dated March 25; filed March 26.

GEORGE ROBSON the younger, Osbaldwick, Yorkshire, horse dealer and farmer, dealer and chapman, May 2 and 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Singleton, York; Harle & Clarke, Leeds.—Petition dated and filed March 24.

RICHARD WHALLEY, Accrington, Lancashire, mercer and draper, May 3 and 16 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Blair, Manchester.—Petition filed April 7.

MEETINGS.

Ephraim Gwaller, Plaistow, West Ham, Essex, baker, May 8 at 11, Court of Bankruptcy, London, last ex.—*Joseph Rothery*, Golear, Huddersfield, Yorkshire, clothier, May 2 at 11, District Court of Bankruptcy, Leeds, last ex.—*Joseph Hughesdon* and *Alexander Mackay*, Calcutta, East Indies, merchants, May 2 at 2, Court of Bankruptcy, London, and. ac.; May 5 at 12, div.—*William Tennant*, Chertsey, Surrey, draper, April 30 at 12, Court of Bankruptcy, London, and. ac.—*William Brown*, Brunswick-st., Stamford-st., Christchurch, Surrey, engineer, May 8 at 12, Court of Bankruptcy, London, and. ac.—*Jane Thomas*, widow, Brynmawr, Breconshire, grocer, May 2 at 11, District Court of Bankruptcy, Bristol, and. ac.; May 9 at 11, div.—*Joseph John Monk M. Scott*, Liverpool, wine merchant, April 28 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Samuel Warden*, Birmingham, hosier, May 5 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*Clement Robey*, Shelton, Stoke-upon-Trent, Staffordshire, manufacturer of earthenware, May 5 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*James Lettis*, Leamington Priors, Warwickshire, miller, May 5 at 10, District Court of Bankruptcy, Birmingham, and. ac.—*Thomas W. Jones*, Wellington, Shropshire, draper, May 1 at 12, District Court of Bankruptcy, Birmingham, and. ac.—*Henry Higginson*, Finsbury-sq., Middlesex, merchant, May 2 at 1, Court of Bankruptcy, London, div.—*John Belbin*, Beaumont-st., Marylebone, Middlesex, coachmaker, May 2 at

2, Court of Bankruptcy, London, div.—*John D. Arbuthnot*, Great St. Helen's, Bishopsgate-street Within, London, and Albany, Piccadilly, Middlesex, merchant, May 2 at 12, Court of Bankruptcy, London, div.—*Alfred Moore*, South-wharf, South-wharf-road, Paddington, Middlesex, stone merchant, May 2 at half-past 12, Court of Bankruptcy, London, div.—*Thomas Keadley* and *Joseph Leonard Keadley*, Church-street, Blackfriars-road, Surrey, and Walsall, Staffordshire, tanners, May 2 at half-past 1, Court of Bankruptcy, London, fin. div.—*Samuel Wilson*, Wolverhampton, Staffordshire, grocer, May 5 at 10, District Court of Bankruptcy, Birmingham, and. ac. and div.—*B. Williams* and *J. Williams*, Dudley, Worcestershire, millers, May 5 at 10, District Court of Bankruptcy, Birmingham, and. ac. and fin. div.—*Maurice Jarvis*, Leeds, Yorkshire, wool merchant, May 2 at 11, District Court of Bankruptcy, Leeds, div.—*Wm. Starkey*, Huddersfield, Yorkshire, woolstapler, May 2 at 11, District Court of Bankruptcy, Leeds, div.—*Thomas Carey W. Pierce* and *Gillem Homan*, Manchester, merchants, May 2 at 11, District Court of Bankruptcy, Manchester, fin. div. sep. est. of *Thos. C. W. Pierce*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Tynbee, University-street, Tottenham-court-road, Middlesex, horse dealer, May 2 at 12, Court of Bankruptcy, London.—*James Lemmon*, Norwich, printer, May 8 at 1, Court of Bankruptcy, London.—*Antonino G. Gaudiano* and *Enrico C. St. Clair*, Great St. Helen's, London, merchants, May 9 at 12, Court of Bankruptcy, London.—*G. Gerrard*, Saxmundham, Suffolk, ironmonger, May 10 at 1, Court of Bankruptcy, London.—*Matthew Rowlandson* and *Lancelot Rowlandson*, Whitechapel-road, Middlesex, drapers, May 9 at 11, Court of Bankruptcy, London.—*James Ginn*, Sudbury, Suffolk, builder, May 6 at 2, Court of Bankruptcy, London.—*George B. Cooper*, Drury-lane, Middlesex, ironfounder, May 7 at 12, Court of Bankruptcy, London.—*Henry G. Mortimer*, Nayland, Suffolk, and *James Mortimer*, New Church-street West, Paddington, Middlesex, builders, May 7 at 11, Court of Bankruptcy, London.—*J. Johnson*, Coventry, Warwickshire, wine merchant, May 6 at 12, District Court of Bankruptcy, Birmingham.—*William Waterman*, Sheffield, Yorkshire, grocer, May 3 at 10, District Court of Bankruptcy, Sheffield.—*Henry Charles Levenshulme*, Manchester, flour dealer, May 3 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Wm. Hymers, Gateshead, Durham, publican.—*G. Milton*, Elizabeth-terrace, Liverpool-road, Islington, Middlesex, contractor.—*Wm. W. Irving*, Gloucester-street, Queen-square, Bloomsbury, Middlesex, merchant.—*Alfred Willsher*, South Island-place, Clapham-road, Surrey, livery-stable keeper.—*Edward Hoile*, Battersea, Surrey, manufacturing chemist.—*James Skirt*, Frodham, Cheshire, grocer.—*John Blin*, Liverpool, stationer.

PETITION ANNULLED.

Edw. Hall, Salford, Lancashire, smallware manufacturer.

PARTNERSHIP DISSOLVED.

Wm. Lloyd Chandler and *George Badham*, Tewkesbury, Gloucestershire, attorneys and solicitors.

SCOTCH SEQUESTRATION.

Robert Alexander, jun., Glasgow, commission merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Woodbridge, Basingstoke, Southampton, saddler, April 17 at 10, County Court of Hampshire, at Basingstoke.—*Francis Oudwaite*, Low Harrogate, Yorkshire, stonemason, April 24 at half-past 10, County Court of Yorkshire, at Knaresborough.—*John North*, Low Harrogate, Yorkshire, out of business, April 24 at half-past 10, County Court of Yorkshire, at Knaresborough.—*Wm. Henshaw*, Loughborough, Leicestershire, cooper, April 22 at 11, County Court of Warwickshire, at Atherstone.—*Wm. Pool*, Hinton Blewett, Somersetshire, butcher, April 28 at 11, County Court of Somersetshire, at Clutton.—*George Kinghorn*, Carlisle, Cumber-

land, innkeeper, April 29 at half-past 9, County Court of Cumberland, at Carlisle.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 26 at 11, before the CHIEF COMMISSIONER.

John Putney, Railway-place, Fenchurch-st., City, commission agent.—John Mitchell, Frances-st., Newington, Surrey, clerk to a blacking manufacturer.—Jas. Richardson, Evelyn-st., Lower-road, Deptford, Kent, dealer in china.—William Gray Thwaites, Lyon's-inn, Strand, Middlesex, attorney-at-law.—Richard Thomas Swinerton Dyer, Long-acre, Middlesex, clerk in the Audit-office, Somerset-place.

April 26 at 11, before Mr. Commissioner PHILLIPS.

Jessima Gattrell, spinster, Peterborough-row, Parson's-green, Fulham, Middlesex, laundress.—Frederick Wm Bird, Northam's-buildings, Somers-town, Middlesex, dealer in marine stores.—Wm. Thornton, Waddon, Croydon, Surrey, farmer.—Henry Brook, Thornhill-place, Pentonville, Middlesex, commercial traveller.—Jos. Schelble, Millpond-street, Bermondsey, Surrey, clockmaker.—Walter Benjamin Ahas, Whittington-place, Upper Holloway, Middlesex, coffee-house keeper.—Wm. Collier, East-street, Lambeth-walk, Surrey, bricklayer.

April 28 at 10, before Mr. Commissioner LAW.

Henry Chas. Eycott, Upper Seymour-st., Euston-square, Middlesex, clerk in the Special Commission Department for the Return of Income and Property Tax, Somerset-house, Strand.—John Benson, Museum-st., Bloomsbury, Middlesex.—Wm. Benning, Well-st., Hackney, Middlesex, shoemaker.—Humphrey Jones, Broadwall, and Alfred-place, Cross-st., Blackfriars, Surrey, dairyman.—Henry John Missaiken, Pratt-st., Lambeth, Surrey, tide waiter.—Paul Schelble, Millpond-street, Bermondsey, Surrey, clockmaker.

April 28 at 11, before Mr. Commissioner PHILLIPS.

John Thatcher the younger, Albert-place, Victoria-road, Stoke Newington, Middlesex, clerk in the Inland Revenue-office, Somerset-house.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 25 at 11, before the CHIEF COMMISSIONER.

Elizabeth Freeman, Lombard-street, Chelsea, Middlesex, baker.—Edward Fowler, Margaret-st., Cavendish-square, Middlesex, agent for the purchase and sale of horses.—Daniel Catlin, Broadway, Westminster, Middlesex, foreman to a greengrocer.—H. Davison, Newport-court, Newport-market, Soho, Middlesex, out of business.

April 25 at 10, before Mr. Commissioner LAW.

Hugh Wallis Smith, Park-cottages, Park-village East, Regent's-park, Middlesex, barrister-at-law.—John Frederick Halls, Susannah-street, Poplar New-town, Middlesex, labourer.—George Fuller, Crosby-row, Walworth, Surrey, cheesemonger.—Jacob Smith, Kingland-road, Middlesex, builder.—George Nott, Cornwall-road, Lambeth, Surrey, carpenter.—Thos. Watkins, Cleveland-st., Mile-end, Middlesex, beer-shop keeper.—Samuel Staples Waller, Park-st., Kensington-cross, Surrey, undertaker.—David Downing, Rotherhithe-wall, King-stairs, Rotherhithe, Surrey, commission agent for the sale of timber.

April 25 at 11, before Mr. Commissioner PHILLIPS.

Wm. Brandon the elder, Goldsworthy-terrace, Rotherhithe, Surrey, market gardener.—Samuel Sansom, High-street, Old Brentford, Middlesex, cooper.—James Pickford, Upper Whitecross-st., Middlesex, shoemaker.—Jas. Watts Knight, Newport-st., London, commercial traveller.—Charles Henry Payne, Albany-st., Middlesex, barrister-at-law.—Thos. Hird, Sidney-alley, Leicester-square, Middlesex, out of business.

April 26 at 10, before Mr. Commissioner LAW.

David Duane Kyle, Albany-st., Regent's-park, Middlesex, civil engineer.

Adjourned.

John Jacob Heystek, Norfolk-st., Fitzroy-square, Middlesex, in no business.

April 26 at 11, before Mr. Commissioner PHILLIPS.

Samuel Dyke, Wrotham, Kent, agent for the sale of land manures.—John Woodroff, Greek-st., Soho, Middlesex, shoemaker.

April 28 at 10, before Mr. Commissioner LAW.

George Beardsell, Kent-street, Southwark, Surrey, collector of bones.—Chas. Jos. Acut, Goswell-road, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, April 25 at 11.

Thos. Humphreys, Liverpool, provision-shop keeper.—W. Coulthurst, Crumpsall, near Manchester, joiner.—J. Parry, Liverpool, out of business.—Richard Mawdsley, Manchester, machine broker.—R. Horton the younger, Salford, plumber.—James Dootson, Little Bolton, Bolton-le-Moors, cotton waste dealer.—John Myers, Manchester, out of business.—T. Melody, Blackburn, straw dealer.—Matthew Appleton, Liverpool, baker.—James F. Airey, Preston, out of business.—T. F. Beales, Salford, lodging-house keeper.—James Stevens, Manchester, warehouseman.—T. Nuttall, Bolton-le-Moors, out of business.

At the County Court of Yorkshire, at YORK CASTLE, April 28 at 10.

Roger Walker, Carlton in Coverdale, out of business.—S. Chadwick, Wakefield, out of business.—Ann Beecroft, Bradford, out of business.—John Green, Queen's Head, near Halifax, linendraper.—Sarah A. R. Allen, Leeds, lodging-house keeper.—R. Webster, Dudley-hill, near Bradford, safety lamp maker.—Richard Holdgate, Dewsbury, greengrocer.—Job Walker, Lindley, near Huddersfield, out of business.—Joseph Walker, Lindley, near Huddersfield, out of business.—Frank Marsden, Horbury, near Wakefield, out of business.—John Wilson, Horbury, near Wakefield, out of business.—John Newbegin, Scarborough, grocer.—Benjamin Hinchcliffe, Little Moor, Pudsey, near Leeds, out of business.—Wm. Aboon, York, out of business.—Wm. Ward, York, out of business.—John Beecroft, Bradford, clerk to timber merchants.—Fras. Stubbs, Snainton, near Pickering, out of business.—John Bedford, Warley, near Halifax, brewer.—William Denison, Yeadon, near Leeds, clothier.—George Day, Leeds, fruiterer.

At the County Court of Cumberland, at CARLISLE, April 29 at half-past 9.

Jane Forster, Stanwix, servant.

At the County Court of Cambridgeshire, at CAMBRIDGE, April 28 at 10.

James Cross, Ely, boatman.—William Carter, Swavesey, maltster.

At the County Court of Gloucestershire, at GLOUCESTER, May 1 at 10.

Thomas Hainwoy, Frampton Cotterell, saddler.

INSOLVENT DEBTORS' DIVIDENDS.

John Lloyd, Denmark-road, Camberwell, Surrey, clerk in the General Post-office: 4s. 8d. in the pound.—John Cowell, Queen's-row, Walworth, Surrey, out of business: 9½d. in the pound.—John Roby, Bath-place, Blackheath-road, Greenwich, Kent, clerk in the Bankruptcy Court, London: 2s. 6½d. in the pound.—G. J. T. Merryott, New-street, Dorset-square, Middlesex, clerk in the Ordnance-office, Tower: 6s. 6d. in the pound.—D. A. Darling, Bull Head-passage, Leadenhall-market, London, poulterer: 9d. in the pound.—James Thos. Banks, Bexley, Kent, plumber: 4s. 5d. in the pound.—Robt. Herdman, Durham, linendraper: 1s. 6d. in the pound.—Abraham Wakefield, Braintree, Essex, brewer: 1s. 8d. in the pound.—Peter Brodie, Chatham, Kent, out of business: 20s. in the pound.—Thomas C. Sherwin, Clarendon-square, Middlesex, commander in the royal navy, on half-pay: 6s. in the pound.—Robert H. Moseman, Princes-street, Blackfriars-road, Surrey, schoolmaster: 10s. 3d. in the pound.—John Huskisson, High-street, Whitechapel, Middlesex, baker: 3½d.

in the pound.—*Wm. Hogg*, Chatham, Kent, shipwright in her Majesty's Dockyard: 2s. 4½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

George Arnold, Berners-street, Oxford-street, Middlesex, globe manufacturer, April 28 at 5 and 8, Moss's, 2, Margaret-street, Cavendish-square: 6s. 7d. in the pound, (in addition to a former div. of 3s. 1d.)—*James Rust*, Soham, Cambridge-shire, corn merchant, at Hustwick's, Soham: 1s. 1½d. in the pound.

MEETING.

Henry C. Manders, Ambleside, Westmoreland, gentleman, May 8 at 11, Insolvent Debtor's Court, Portugal-street, Lincoln's-inn-fields, London, pr. d.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—*Charles Geach*, Esq., for the city of Coventry, in the room of *George James Turner*, Esq., who has accepted the office of Vice-Chancellor.—*William Henry Powell Gore Langton*, Esq., for the Western Division of Somersetshire, in the room of *Sir Alexander Hood*, Bart., deceased.

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LONDON, APRIL 19, 1851.

THE case of *Hutton v. Upſill*, (2 H. L. C. 674), which we reviewed on a former occasion*, and in which a provisional commitſeeſman accepting ſhares in that capacity was held liable as a contributory, has of course been followed, and, until overruled, will continue to be followed, by all inferior tribunals. It has not, however, been allowed to pass without comments, significant of judicial disapprobation. (*Es parte* *Sichel*, 15 Jur., part 1, p. 53; *Es parte* *Barber*, 20 L. J., Ch., 146). In the former case, Lord Cranworth observed, that *Ashpitel v. Sercombe* (19 L. J., Ex., 82) had not been brought before the House of Lords, and seemed to think, that, if it had been, it would have led to a different view being taken, at all events, of the decisions at law.

The most important decision relating to the legal position of an allottee is the recent case of *Es parte* *Copper*, (15 Jur., part 1, p. 145). The facts were as follow:—Mr. Capper applied for shares in a railway company, and agreed to pay thereon a deposit, and to sign the subscribers' agreement and parliamentary contract; the shares were allotted to him by letter, headed with the words "not transferable," and stating, that unless the deposit were paid on a certain day, the allotment would be null and void†. He never paid the deposit, or took further part in the company. Under these circumstances he was held not to be liable as a contributory, even to the extent of the deposit, at the rate of 10s. per cent., which the promoters of a company are allowed, by the 7 & 8 Vict. c. 110, s. 23, to receive by way of earnest. "The law on this subject," said Lord Cranworth, "is now very well understood. Persons engaged in forming a railway company are neither a corporation nor a trading partnership; they are merely a number of persons en-

deavouring to accomplish a particular object—that is, the establishing of a company, first for forming, and afterwards for working, a railway. If they incur expense in endeavouring to effect their object, and seek to render any one liable to any part of that expense, the question always is, whether the person whom they seek to charge did or did not authorise them to incur that expense on his account, or did or did not agree to indemnify them if they incurred it on their own account. Now, this is a mere question of fact; if there had been no winding-up act, it would have been tried by an action at law; and in deciding whether any particular name ought or ought not to be placed on the list of contributories, what the Court has to decide is, what ought to have been the result of such an action if it had been brought." His Lordship distinguished the case before him from *Clement v. Todd*, (1 Exch. 218), which was an action by an allottee to recover a deposit which he had paid on the express agreement that he should stand in the same position as if he had signed the subscribers' agreement. He failed in his action, because it appeared that the terms of such subscribers' agreement authorised the application of deposits to the payment of preliminary expenses. His Lordship treated the case of *Jones v. Harrison*, (2 Exch. 52), in which an allottee in an abortive scheme was held not entitled to recover his deposit, as a case that proceeded entirely on the special nature of the contract, and doubted *Mathews's case*, (14 Jur., part 1, 928), unless the regulations, by which Mr. Mathews had agreed to be bound, were within his own knowledge to the effect that the deposit should be applicable to preliminary expenses. The case of *Ashpitel v. Sercombe*, (19 L. J., Ex., 82), which was affirmed in error, was treated by the learned judge in *Es parte* *Copper* as establishing conclusively, that a person, by accepting shares and paying his deposit, does not thereby authorise the expenditure of any part of such deposit in the expense of forming the company; a multo fortiori, a person, by merely agreeing to take shares and pay his deposit, does not enter into any agreement to contribute to any expense incurred or to be incurred before the company is finally established. In *Ashpitel v. Sercombe* the Plaintiff (who

* 14 Jur., part 2, p. 469.

† These words, "not transferable," and the statement in the letter, that unless the deposit were paid the shares would be forfeited, were held not to affect the allotment in *Hutton v. Upſill*, and were not noticed in the judgment in this case of *Es parte* *Copper*.

was a member of the provisional committee) applied for shares, undertaking to execute the subscribers' agreement and to pay the deposit. The shares were allotted to him; he paid the deposit, but did not execute the agreement, which, in fact, contained express authority for the committee to incur certain expenses which had been incurred; but there was no evidence that he knew of the contents of this agreement, or that they were such as must necessarily be included in the agreement which he had engaged to sign. The company having proved abortive, the plaintiff succeeded in an action for the recovery of his deposit, the Court holding that it was for the defendant to shew that the plaintiff had sanctioned the expenditure of his deposit; and that the circumstance of his having accepted shares, paid the deposit, and agreed to sign the subscribers' agreement, furnished no evidence of any authority to the directors to expend any part of the deposit in preliminary expenses.

From the above decisions, an allottee of shares, whether he has paid a deposit or not, stands in the same position as a mere provisional committeeman to the directors of the company. He is not a partner, nor a quasi partner, but his liability is to be governed by the rules of law which apply to the relation of principal and agent; (*Reynell v. Lewis; Wylde v. Hopkins*, 15 M. & W. 517); an express or implied authority to the directors must, therefore, be shewn before he can be made responsible in respect of his shares, or before even the deposit already paid can be expended. Such authority may often be found in the subscribers' agreement, where he has signed it, or has agreed to stand in the same position as if he had done so, or to be bound by the regulations therein contained; at all events, if it be shewn that he was cognizant of its contents.

The above case of *Ex parte Capper* is a practical illustration of the rule laid down in *Cottil's case*, (14 Jur., part 1, p. 453), that under the Winding-up Act the legal is the measure of the equitable liability.

PARTIES TO SUITS IN EQUITY BETWEEN MEMBERS OF PARTNERSHIPS, ASSOCIATIONS, OR PUBLIC COMPANIES.

Nor long since it was understood to be the rule, that Courts of equity ordinarily were not inclined to decree an account between partners, unless under special circumstances, if there were not an actual or contemplated dissolution, so that all the affairs of the partnership might be wound up. (1 Story's Eq. Jur., s. 671; and see *Forman v. Homfray*, 2 V. & B. 320, and *Russell v. Loscombe*, 4 Sim. 8).

Now, another rule of practice was, that, to a bill for a dissolution of partnership, all the partners were necessary parties; and therefore it followed, that all the partners must be parties to a bill praying an account. But in the case of companies or associations of a very large number of persons, of whom a few are intrusted with the management of the funds, where an account is often wanted without a dissolution, and where it is impossible to join all the members as parties to a suit, on account of their number, there occurs a difficulty which Courts of equity have surmounted by decreeing an account without a dissolution, at the suit of one or more members, on behalf of themselves and all others

except the defendants against whom the account is sought.

The case of *Walworth v. Hall* (4 My. & C. 619) is referred to as a leading case on this subject, more on account of the expressions used by the Lord Chancellor in giving judgment, than from the intrinsic peculiarity of the decision, which is, perhaps, capable of support on previous authority. His Lordship said, that he considered it the duty of the Court to adapt its practice and course of proceeding to the existing state of society, and not, by too strict an adherence to forms and rules established under different circumstances, to decline to administer justice, and to enforce rights for which there is no other remedy.

Encouraged by this expression of the willingness of the Court to extend its jurisdiction, if necessary, in similar cases, numerous experiments have been made to try how far this extension will be carried.

In one direction the limit seems clearly defined. Courts of equity have uniformly hitherto refused to dissolve an active partnership, and even, one that has been suspended, and not actually dissolved, without having all the members parties to the suit. (*Long v. Yonge*, 2 Sim. 369; *Evans v. Stokes*, 1 Ke. 24; *Abraham v. Hannay*, 13 Sim. 681; *Deeks v. Stanhope*, 14 Sim. 57; *Harvey v. Bignold*, 8 Beav. 343; *Wilson v. Stanhope*, 2 Coll. 629; *Richardson v. Hastings*, 7 Beav. 301).

But there are a multitude of cases in which relief will be granted on a bill in this form between partners where a dissolution is not prayed; as, for example, where the object of the partnership association has totally failed, and the suit is to wind up its affairs, the partnership in such a case being virtually dissolved. (*Apperley v. Page*, 1 Ph. 779; *Cooper v. Webb*, 16 Sim. 454).

So, the directors of a mining company were allowed to sue on behalf of themselves and all other shareholders in the company, except the defendant, to obtain a declaration by the Court, that one shareholder, who had obtained a lease of certain mines in his own name, under the circumstances in the bill stated, might be declared a trustee for the company. (*Taylor v. Salaman*, 4 My. & C. 134).

So, where the directors of an incorporated company are acting ultra vires in matters which could not be authorised by the general majority of the company, one shareholder may sue on behalf of himself and all others to obtain a remedy for and to prevent the continuance of this wrong. (*Natusch v. Irving*, 2 C. P. Coop., N.S. 358; *Coleman v. The Eastern Counties Railway Company*, 10 Beav. 1; *Cohen v. Wilkinson*, 12 Beav. 125, 138; S. C., 1 Mac. & G. 491; *Solomons v. Leing*, 12 Beav. 339, 377; *Hodgson v. Earl Powis*, Id. 392; *Bagshaw v. The East Union Railway Company*, 14 Jur., part 1, p. 491; *Carlisle v. The South-eastern Railway Company*, 1 Mac. & G. 689; *Munt v. The Shrewsbury and Chester Railway Company*, 15 Jur., part 1, p. 26).

And many similar cases will readily occur to the learned reader, in which one or more persons have been allowed to sue on behalf of themselves and all others having interests identical with their own in the subject of the suit.

If any one of the persons, having such a common interest with the plaintiff, should refuse to concur in the suit, it seems it is proper to make him a defendant on that ground alone. (*Sibson v. Edgeworth*, 2 De G. & S. 73). And even if none dissent, yet the persons represented are not bound by the decree in such a suit to all intents and purposes, though the bill is expressed to be filed on their behalf. (*Powell v. Wright*, 7 Beav. 460).

But though persons, whose interests are identical with that of the plaintiff, may be represented by him without actually being made parties, and their interests

to some extent affected by the decree in such a suit, it is questionable whether those whose interests are adverse may be represented by a few persons, as defendants, having precisely the same adverse interests in the matters in question. And the difference between the two cases is considerable. In the former, if the plaintiff succeeds in the suit, he obtains a benefit for all the class on whose behalf he sues; while if he fails they are not injured, except so far as they may be prevented from instituting a similar suit. (See *Powell v. Wright*, ubi sup.)

But in the latter case, if the suit succeeds, and a decree is made binding all the persons having adverse interests to their prejudice, this seems to be a great hardship on those who were not actually parties to the suit, because, to use the words of Lord Cottenham, "each and every of them may have a case to make" for his own particular defence; and even though their interests may be identical with those of the defendants made parties, their mode of conducting the defence might have been different. Suppose the actual defendants to submit to a decree by way of compromise, could it be contended that this would be binding, to any extent, on absent parties? Imagine a more extreme case. If the bill were taken pro confesso against the defendants, would those persons whom they affect to represent be bound? Such a mode of suing would be manifestly unjust, and we must conclude, that whenever the objection can be fairly taken, that persons having adverse interests are not actually parties to the suit, it must prevail; and in such cases, if they are too numerous to be made parties, there is no remedy.

In some few instances the representation of a class of defendants has been allowed. (*Milbanks v. Collier*, 1 Coll. 237; *Richardson v. Larpent*, 2 Y. & C. C. 507; *Land v. Blanchard*, 4 Hare, 26). But the question having been considered by Lord Chancellor Cottenham, his Lordship, if we rightly understand his words, seems to have come to the conclusion, and we submit with great reason, that this kind of representation in a suit should not be permitted. In his judgment in the great case of *Mosley v. Alston* (1 Ph. 798) his Lordship observed, that by a relaxation of the former rule, which required all persons interested to be made parties, "where the grievance complained of is common to a body of persons too numerous to be all made parties, the Court has permitted one or more of them to sue on behalf of all, subject, however, to this restriction, that the relief which is prayed must be one in which the parties whom the plaintiff professes to represent have all of them an interest identical with his own, for if what is asked may by possibility be injurious to any of them, those parties must be made defendants, because each and every of them may have a case to make adverse to the interests of the parties suing. If, indeed, they are so numerous that it is impossible to make them all defendants, that is a state of things for which no remedy has yet been provided."

In the case of *Carlisle v. The South-eastern Railway Company* (1 Mac. & G. 698) his Lordship refers to and quotes the above-mentioned passages from his former judgment; and he adds, that "many cases may occur in which this difficulty must lead to a failure of justice, and it is much to be wished that some remedy could be suggested for it." His Lordship, in an earlier part of his judgment, had said, that in the case before him a body of shareholders having adverse interests were not represented at all, "for there were no defendants representing their interests; if that would have been sufficient, which," said his Lordship, "I by no means assume."

Here, then, the device of making all the class of shareholders defendants by representation was in his Lordship's mind, but he expressly refused to sanction it. It is obvious that such representation does not

remove the difficulty, for it is impossible that it should be satisfactory to all the class represented; and how could any one of this class objecting be held bound by the decree in a suit so constituted? (And see *Edwards v. The Shrewsbury and Birmingham Railway Company*, 2 De G. & S. 537).

This is a matter of much higher importance than a mere formal defect in the practice of Courts of equity, the real difficulty being how to contrive without injustice that there shall be any remedy, where the question of right is disputed between classes of persons too numerous to be all made parties to the litigation.

E. E. K.

EFFECT OF ACCEPTANCE OF A DEFECTIVE NOTICE TO QUIT.

It is a very prevalent opinion, that if a notice to quit is defective, either by being given within six months before the day named for quitting, or by naming as the day for quitting another day than the anniversary of the commencement of the tenancy, the defect may be cured by the assent of the party to whom the notice is given—at least, if the notice and the acceptance of it are in writing. But there is no authority directly in favour of this opinion, and it is contradicted by several modern decisions.

In all the cases in which the tenant was held bound by his acquiescence, the landlord appears to have relied on the tenant's statement as to the time at which the tenancy commenced; and the tenant was, therefore, estopped by the representation he had made. (See *Doe v. Lambly*, 2 Esp. 635). But there are several cases in which an insufficient notice to quit given by the tenant, and accepted by the landlord, has been held not to entitle the landlord to re-enter. Thus, in *Doe d. Huddleston v. Johnston*, (McCl. & Y. 141), a parol agreement by the tenant to quit in less than half a year was held not to entitle the landlord to recover possession at the time named in the agreement. The Court held that it was inoperative as a surrender, because made *without writing*. But Alexander, C. B., thought, that if a notice to quit had been given in all respects regular, except as to time, and there had been an acceptance of it, such a notice might be effectual by means of the waiver. See *Johnstone v. Huddleston*, (4 B. & Cr. 922), where, on the same case, the Court seemed to think that if the notice had been given and accepted in writing, it would have operated as a surrender.

In *Doe v. Milward* (3 M. & W. 328) a written notice to quit at Midsummer was given by the tenant, and received by the landlord without objection, but he gave no assent in writing. The tenant afterwards discovered that the tenancy commenced at Christmas, and refused to quit according to the notice. It was held that the landlord could not enter at Midsummer, because the notice was bad as a notice to quit, and bad as a surrender, being to take effect in future. (*Weddall v. Capes*, 1 M. & W. 50, overruling *Aldenborough v. Peuple*, 6 Car. & P. 212). The objection, that a surrender cannot take effect in future, appears to have been first taken in this case. In all the preceding cases it seems to have been assumed that a written agreement to quit at a future day might be effectual.

In *Bessell v. Landsberg* (7 Q. B. 638) the tenancy commenced on the 1st May, and the tenant in January gave a written notice to quit on the following 1st May, to which the landlord verbally assented at the time, but afterwards dissented. The tenant having quitted on the 1st May, it was held, on the authority of *Johnstone v. Huddleston*, that his tenancy had not determined. But *Johnstone v. Huddleston* was decided on the ground that the notice was not in writing. The reason given in *Doe v. Milward* was not adverted to.

In *Mollett v. Brayne* (2 Camp. 103) the landlord verbally authorised the tenant to quit in the middle of a quarter, which he did; and it was held in banco, on a motion for a new trial, that the tenant continued liable for rent, *the agreement not being in writing*. The agreement was treated as a surrender, required by the Statute of Frauds to be in writing, and the objection, that it could not operate in futuro, was not taken.

These cases must be taken to have overruled the *Nisi Prius* cases of *Sparrow v. Hawkes*, (2 Esp. 505); *Sherley v. Newman*, (1 Esp. 267); *Redpath v. Roberts*, (3 Esp. 225); and see *Brown v. Burtonshaw*, (7 D. & Ry. 603). If *Doe v. Milward* and *Bessell v. Landsberg* were properly decided, it follows that it is impossible for a landlord and tenant, by any means, to determine a yearly tenancy prospectively, except at the expiration of the current year, and by the ordinary notice. Such a conclusion, however, would be quite inconsistent with the settled doctrine as to defeasances, viz. that a lease may be made at any time defeasible by agreement made between the parties, with the same solemnity with which the lease was created, i. e. in the case of a yearly tenancy, by parol. (Shep. Touch. 397; Prest. Conv. 149, 166). Now, an agreement to accept an informal notice to quit is nothing more than an executory defeasance, which, though it does not, like a surrender, actually determine the lease, gives to the lessor a right to re-enter, and to the lessee a right to quit when the time arrives. This point does not appear to have been taken in any of the cases; but it seems to be conclusive against the decisions in *Doe v. Johnston*, *Doe v. Milward*, *Bessell v. Landsberg*, and *Mollett v. Brayne*. G. S.

Court Papers.

EQUITY CAUSE LISTS, EASTER TERM, 1851.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

APPEALS.

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 Monro v. Taylor (2 Aps)
 Briggs v. Penny (Ap)
 Hickman v. Hickman (Ap)
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 Robinson v. Geldart (Ap)
 Salmon v. Dean (Ap)
 Smith v. Pincombe (Ap)
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 Sturge v. Sturge (Ap)
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 Rhodes v. Matson (Ap)
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 Wellesley v. Wellesley (Ap)

Blenkinsopp v. Blenkinsopp (Ap)
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 Bryan v. Mansion (Ap)
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Jones v. Parry (Ap)
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 Kynaston v. Lancashire and Yorkshire Railway Co. (Ap)
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 M'Intosh v. Great Western Railway Co.

Before Vice-Chancellor KNIGHT BRUCE, at Westminster.

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 Middleton v. Loah (2 Cls)
 Roakes v. Upperton (2 cans.)
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 Abbott v. Sword
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 Toulmin v. Reid
 Stephens v. Williams (C)
 Blake v. Grand Surrey Canal Co.
 Emans v. Greenhill
 Gooding v. Read (C)

Bailey v. Boulton (C)
 D'Almaine v. Jukes SA
 Bell v. Rea (E)
 Tweedy v. Repper, otherwise Ripper (C)
 Tweedy v. Harvey (C)
 Thomas v. Bell (C)
 Dicken v. Aldersay (C)
 Hall v. Rickerby (C) SA
 Shannon v. Isaacs
 Hull v. North
 Mayor, &c. Borough of Hythe v. East (C)
 Silver v. Smith
 Gilpin v. Magee (C)
 Wellesley v. Wellesley (E) }
 Countess of Mornington v. Earl of Mornington }
 Halford v. Staines (F D) }
 Same v. Same (Cause) }
 Granville v. Betts (2 causes)
 Mowels v. Tinker (C)
 Thompson v. Goodhart (C)
 Selby v. Paaley (C)
 Sanderson v. Trollope
 Sandell v. Sandell (C)
 Bower v. Cunningham (C)
 Twining v. Twining (Rehear.)
 Shea v. Boschetti (C)
 Douthwaite v. Douthwaite (C)
 Gregory v. Harries (C)
 Stuart v. Lloyd
 Bell v. Jackson (Special case)
 Shephard v. Fleetwood (F D, C)
 Leigh v. Mosley (Special case)
 Waggett v. Welsh (C)
 Heath v. Duffell (2 causes)
 Lord Lonsdale v. Count de Zechy Ferraris
 Hall v. Langley (C)
 Pearce v. Wrighton (C)
 Marshall v. Nadin
 Eaton v. Eaton (2 causes)
 Davies v. Griffiths (C)
 Boothby v. Graves (F D, C)
 Wood v. Dench
 Drosier v. Brereton
 Dennitt v. Elwick (C)
 Winter v. Elwick (C)
 Smart v. Long (C)
 Cockell v. Taylor
 Langworthy v. Church (Rehearing)
 Tuck v. Tuck (F D, C)
 Bristow v. Fuller (C)
 Jefferies v. Biggs (C)
 Bird v. Smith (F D)
 Lake v. Currie (E).

Fores v. Richardson
 Luntley v. Hoby
 North Stafford Railway Co. v. Whieldon
 Chadwick v. Maden
 Simpson v. Shepherd (C)
 Litchfield v. Watkins (C)
 *Wayne v. Hanham
 *Griffiths v. Vanheythusan (2 causes)
 Illingworth v. Cooke
 Pearson v. Ratter
 *Brown v. Barnes
 *Spensley v. Wilson
 Ward v. Cartwright
 Pointer v. Hollier (C)
 *Beadan v. King
 *Lupton v. Thornhill
 *Collett v. Morrison
 Hull v. Hall (C)
 Fordham v. Wallis (2 causes)
 Att.-Gen. v. Great Northern Railway Co.
 Kell v. Horry
 Hart v. Smith (C)
 *Allen v. Hitchcock
 *Attorney-Gen. v. Bishop of Worcester
 Robins v. Hobbs (C)
 Cater v. Baker (C)
 Penny v. Penny (C)
 Louis v. Levinson (C)
 Maynard v. Higgins
 Bottrill v. Arnold (C)
 Craddock v. Tavenor (C)
 *Freeman v. Lomas
 *Cortis v. Noakes (C)
 *Kennerley v. Kennerley
 Buckingham v. Dunn (C)
 Davies v. Pinder (C)
 Howard v. Tillett (C)
 Phillips v. Goodhart (C)
 Bankart v. Crafton (C)
 Howard v. Howard (C)
 Johnson v. Freeman (C)
 South Devon Railway Co. v. Stevens (C)
 M'Knight v. Carruthers (C)
 *Taylor v. Cargill
 *Whitwell v. Pratt
 Goodale v. Webb (C)
 Mules v. Carhart (C)
 *Burchinshaw v. Roberts
 *Spickernell v. Hotham
 Cooper v. Knox
 *Bakewell v. Brotherton (C)
 *Alcock v. Allen
 Pearse v. Bryant (C)
 Southam v. Richardson (C)
 *Dalglish v. Jarvie
 Bridges v. Mawe (C)
 *Askew v. Millington
 Mumford v. Smith (C)
 Thompson v. Milbourn (C)
 Dutton v. Colston (3 causes)
 Pittman v. King (C)
 Chamberlain v. Hughes (C)
 Mastern v. Page (C)
 *Withers v. Birmingham and Oxford Junction Railway Co.
 *Thompson v. Tooke
 *Moore v. Welham
 Devey v. Thornton
 Finney v. Mackintosh (C)
 Burt v. Westbrook (C)
 Haughton v. Turpin (C)
 Hull v. Grimshaw (C)
 Webb v. London and Portsmouth Railway Co. (C)
 *Albinson v. Pendlebury

Granger v. Reeves (C)
 Halden v. Halden (C)
 Chesterman v. Mann
 Richards v. Richards (C)
 *Basil v. Lister
 *Hall v. Hall
 Skinner v. Claridge (C)
 Wright v. Chaffers (2 causes)
 Wilmer v. Kidd
 Evans v. Evans
 Wilkinson v. Wilkinson
 *Wright v. Allen (C)
 *Lincoln v. Windsor
 *Bromitt v. Moore (C)
 *Wilkinson v. Powkes
 *Paterson v. Cuel (C)
 *Vincer v. Powell (C)
 Wright v. Lamb (C)
 Barnard v. Barnard (C)
 Grange v. Smith (C)
 Pearce v. Williams (C)
 Lee v. Lee } (3 causes)
 Lys v. Same }
 Winnall v. Henney (C)
 Moore v. France (2 causes)
 Higginson v. Higginson (C)
 Brown v. Sewell
 Eccles v. Cheyne (C)
 *Hayward v. Price (C)
 Hopkins v. Haynes
 Harrison v. Randall (3 causes)
 Esthaugh v. Collins (C)
 Brown v. Randall (3 causes)
 Olding v. Long (C)
 Lee v. Berriman (C)
 Smith v. Bartrap (C)
 Waterhouse v. Stansfield (C)
 Dawe v. Dawe (C)
 Watts v. Russell
 Anderson v. Guichard (C)
 Baskett v. Skeel (C)
 *Stevens v. Wilkinson (C)
 Bealey v. Hull (C)
 Smith v. Hurst (2 causes)
 Mercer v. Dyson
 Nash v. Hodgson (C)
 *Farry v. Farry
 *Gregory v. Wilson
 *Wilkinson v. Standage
 Cawsey v. Cawsey (C)
 Russell v. Jackson
 Corfield v. Wace (C)
 Abbott v. Calton (C)
 Benn v. Griffith (C)
 *Bertington v. Jolliffe (C)
 South-eastern Railway Co. v. Duerr
 Gordon v. Bentley (C)
 Chant v. Brown
 *Payne v. Cooke (C)
 *Lambie v. Lambie (C)
 Saward v. Tillett
 *Kervey v. Cooke
 *Porter v. Hannam (C)
 Oxford v. Gibson (C)
 Whitworth v. Rhodes (2 causes)
 Burnett v. Martin (C)
 *Newman v. Mather
 *Harvey v. Barrows (C)
 *Smith v. Mules
 *Knight v. Knight (C)
 Bolton v. Michel (C)
 Hirst v. Schofield (C)
 *Jones v. Maggs (C)
 *Nettleton v. Nettleton
 *Sergison v. Adey
 Cobb v. Duck
 *Chivers v. Wood (C)
 *Page v. Cox
 Welch v. Callis (C)
 *Owen v. Derbyshire (C)

Before Vice-Chancellor Sir G. TURNER, at Westminster.

Causes, Claims, &c. transferred from Vice-Chancellors Knight Bruce and Lord Cranworth's Lists by order of the Lord Chancellor.

*The Causes and Claims marked thus * are from Lord Cranworth's List of Causes.*

Cooper v. Cooper
 Williamson v. Williamson (C)
 Carne v. Curtis (C)
 Farand v. Lloyd (C)
 Johns v. Mason (C)
 Taylor v. Robinson
 Jackson v. Eason (C)
 Goffe v. Edmunds (C)
 Sims v. Wilde (C)
 Fox v. Daly (C)
 Staley v. Wright (C)
 Walker v. Benaley

Squire v. Ford
 Bradberry v. Broadhead
 Wright v. Moore
 Pike v. Barber
 Heap v. Tonge
 Cartinell v. Proffitt
 Field v. Hastings
 Broughton v. Ward
 Bilson v. Owen
 *Blackshaw v. Cox
 *Horsfield v. Ashton
 *Trollope v. Trollope

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| <p>Kewitt v. Loosemore Norbury v. Green Sawyer v. Duncan (Cl) Douglas v. Horton Franks v. Franks (Cl) *Dennett v. Pepper (Cl) Bates v. Fenwick (Cl) *Mudd v. Day *Bates v. Bates Life v. Watson Sherwood v. Vincent Chapman v. Great Northern Railway Co. (Cl) Lagar v. Butler Gard v. Hodges (Cl) Turnball v. Wawn (Cl) *Stringer v. Stagg (Cl) Curling v. Newton *Callin v. Brown *Grand Trunk or Stafford and Peterborough Union Railway Co. v. Brodie *Same v. Sturgis *Mayor, &c. of Huntingdon v. Great Northern Railway Co. (Cl) *Carlton v. Mercer (Cl) Vernall v. Vernal Goode v. West (Cl) Pottle v. Beaman (Cl) Wilkinson v. Kay (Cl) *Allen v. Crawshaw *Hughes v. Wells (3 causes) *Stokes v. Salomons (Sp. case) *Champion v. Mayor, &c. of Gravesend (Cl) *Loag v. Storie Williams v. Roper (Cl) Gedwin v. Scorey (Cl) Tyler v. Evans (2 causes) Evans v. Evans Parker v. Lake (Cl) Tweedale v. Johnson (Cl) Pike v. Bullock (Cl) Aickin v. Thwaites (Cl) Blaxland v. Blaxland Webber v. Webber (Cl) Hazelaine v. Cragg *Last v. Goldsmith *Jones v. Fleming (Cl) *Travis v. Milne *Milne v. Same Nathan v. Brandon (2 causes) *Fryer v. Durant (Cl) *Smith v. Pollard (Cl) *Pearce v. Mayhew (Cl) Salmon v. Lunn (Cl) Andrews v. Patzcker (Cl) *Higgs v. Magnay (Cl) *How v. Hamilton (Cl) Haydon v. Wood (Cl) Richardson v. Eytton (Cl) Newing v. Gerard Crosley v. Crowther (Cl) Hunter v. Clark (Cl) *Granger v. Poole (Cl) Smith v. Park (Cl)</p> | <p>Davies v. Holmes (F D) *Roumieu v. Smith *Billage v. Southes *Morrell v. Tinkler Watson v. Butler (Cl) Jones v. Great Western Railway Co. (Cl) *Louis v. Gotbed (Cl) *Harding v. Bishop (Cl) Heath v. Baker *Neigee v. Dean (Cl) Burrows v. Walls Bernard v. Anderson Reeves v. Trenchard (Cl) *Mousley v. Agar *Doewell v. Cooper (Cl) *Topp v. Moore (Cl) Dyson v. Dyson Rogers v. Mort Ross v. Great Western Railway Co. (Cl) King v. Phillips Bell v. Edginton (2 Cls) *Clayton v. Wood (Cl) Ravenhill v. Lloyd (Cl) *Tanner v. Higham (Cl) *Hughes v. Morris (2 causes) *Scott v. Lord Hastings (Cl) Usborne v. Strutt Crosse v. Lawrence (Cl) Same v. Keene (Cl) Same v. Young (Cl) Same v. Rennie (Cl) Same v. Phillips (Cl) Same v. Pretheroe (Cl) Cottingham v. Doughty (Cl) *Blakey v. Duke of Montrose *South Wales Railway Co. v. Clarke Wilks v. Penton Oldfield v. Lord Seymour (Cl) *Smith v. Shave (Cl) *Att.-Gen. v. Hull (2 causes) Jackson v. Craig (Special case) Storer v. Smith Hirtzel v. Smith Colchester, Stour Valley, &c. Railway Co. v. Gooday (Cl) *Burrows v. Hutchins (Cl) *Towns v. Farmer (Cl) *George v. Wilkinson (Cl) *Millicar v. Vanderplank (Cl) Johnes v. Jones Smith v. Stewart (Special case) Powell v. South Wales Railway Co. Holloway v. Poole (Cl) *Osborne v. Thorne (Cl) Rice v. Rice *Drury v. Merrivale (Cl) Ford v. Ford Tatham v. Platt Sugden v. Myers (Cl) Fox v. Blight (Cl) *French v. Bakett (Cl) Hall v. Mott Surtees v. Irving (Cl).</p> | <p>Attorney-Gen. v. Colegrave Males v. Jennings Attorney-Gen. v. Mayor of Gloucester Lumsden v. Morison Fisher v. Hepburn (F D, C) Godefroy v. Morison Att.-Gen. v. Brook } (Re- Att.-Gen. v. Brook } hearing) Royds v. Royds (F D, C, Ptn) Edgley v. Lloyd Gooch v. Gooch } (F D, C, Gooch v. Clarke } Ptn) Matthews v. Bradshaw } (E) Matthews v. Leybun } Jenner v. Shaw (F D, C) Petre v. Petre (F D, C) Attorney-Gen. v. Newcomen Melson v. Kemp Whicker v. Hume Hume v. Gilchrist Newry, Warrenpoint, & Ros-trevor Railway Co. v. Moss Rice v. Gordon (5 causes, F D, C) Littlewood v. Webster Mackason v. Pope (5 causes, F D, C) Butcher v. Knowles (3 causes, F D, C) Massey v. Carvick } Massey v. Carvick } Betts v. Barrow Bush v. Watkins Bell v. Jones Bligh v. Great Western Railway Co. Ross v. Ross Dunn v. Stoke (3 causes, F D, C) Trye v. Corporation of Gloucester (F D, C) Thorpe v. Duke (F D, C) Brown v. Cross Duvall v. Mount (E) Heaton v. Dale Leer v. Butterfield } Leer v. Edwards } London Gas-light Co. v. Spot-tiswoode Bolton v. Powell } Howard v. Earle } Delfosse v. Crawshaw (13 causes, F D, C) SA Lord Stuart v. London and North-western Railway Co. (Cl) Grundy v. Pinniger Reece v. Greene Early v. Middleton (Cl) Withers v. Boys Lord Crewe v. Robson (E, F D, C) Jackson v. Jackson (4 causes, F D, C) Bentley v. Mackay (E, F D, C) Morgan v. Morgan (3 causes, Rehearing) Ellis v. Maxwell (5 causes, F D, C) Grace v. Carden } Grace v. Evans } Grace v. Hood } Lees v. Laforest } Lees v. Laforest } Liddiard v. Liddiard Peters v. Beer Younge v. Hudson M'Donnell v. Heslridge Brown v. Oakshott (3 causes) Fuller v. Green</p> | <p>Pickard v. Mitchell } (F D, Wilcock v. Mitchell } C) Douglas v. Andrews (6 causes, F D, C) Hanbury v. Hussey Lake v. Pearce (Cl) Johnson v. Thomas Simpson v. Thomas } Jodrell v. Jodrell Wilson v. Eden (F D, C) Sirdefield v. Thacker Blake v. Alder Davis v. Barrett } Davis v. Barrett } Rennie v. Nisholl Noble v. Meymott Wright v. Nixon (Cl) Sayer v. Collard Davenport v. Charlesworth } (F D, Charlesworth v. Man- } C) ners Charlesworth v. Verity Weymouth v. Taylor Grimwood v. Gable (Cl) Read v. Strangways (3 causes, F D, C) Trilley v. Keefe Clayton v. Garnet (Cl) Vickers v. Shaw (Cl) Dudman v. Jordan } (E, F D, Dudman v. Sheriff } C) Harris v. Mott (Cl) Lord v. Ryle (Cl) London & South-western Railway Co. v. Manfield (Cl) Godson v. Turner Cleobury v. Turner (Ptn) Pickersgill v. Pickersgill (Cl) Earnshaw v. Earnshaw (Cl) Minn v. Stant Bailey v. Ward (Cl) Attorney-Gen. v. Chambers Attorney-Gen. v. Rees Hall v. Hall (E) Foley v. Smith Foley v. Smith Eardley v. Owen (6 causes, F D, C) Dimdale v. Hutton (Cl) Parker v. Turner (Cl) Bryant v. Blackwell } (F D, Rose v. Blackwell } C) Crallan v. Oulton (6 causes, F D, C) Peatfield v. Benn Peatfield v. Ribgby } Irwin v. Dimes Turner v. Turner Laurie v. Clutton } Laurie v. Laurie } Cooke v. Lamotte Jones v. Hughes Fell v. Jones (5 causes, F D, C) Bartlett v. Patten Wright v. King SA Greenwood v. Roberts (Special case) Macdonald v. Walker (Special case) Harris v. Farwell (E) Anthony v. Simmons (Cl) Att.-Gen. v. Corpora-tion of Chester } (E, F Same v. Same } D, C, Harvey v. Read } Ptn) Dowding v. Bartley (7 causes, F D, C) Bain v. Cameron Caledonian Railway Co. v. Naylor (Cl)</p> |
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Rolls Court.

PLEAS AND DEMURRERS.

Dean and Chapter of Ely v. Gayford (6 Pls) S O
Minn v. Stant S O
Brondor v. Hall
Pulsford v. Richards (E, 2 sets)
Bainbridge v. Bainbridge (D)
Nutting v. Hebden (Pl)

CAUSES.

Gas-light Co. v. Symonds (3 causes, F D, C) S O
Morgan v. Morgan (3 causes, E) S O
Hele v. Bexley (5 causes)
Triston v. Hardy
Duberly v. Day

Norris v. Wright
Hornby v. Ward SA
Mason v. Gallimore (Cl)
Howard v. Prince (3 causes,
rehearing)
Keddell v. Keddell (Cl)

Davies v. Browne (8 causes, F
D, C) SA
Penraddock v. Hammond }
Penraddock v. Pitt }
Jones v. Nunn (Cl).

London Gazettes.

TUESDAY, APRIL 16.

BANKRUPTS.

WILLIAM ROUS MABSON, Highfield, Southampton, auctioneer, dealer and chapman, April 29 and May 27 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Harfield, Southampton; Lee & Pemberton, 43, Lincoln's-inn-fields.—Petition filed April 9.

JOHN JOWETT, Bull-bridge, Derbyshire, stone merchant, April 25 and May 23 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Campbell, Nottingham.—Petition dated March 27.

JOHN GRACIE, Bristol, and Dudley, Worcestershire, woollendrapers, hawker, dealer and chapman, April 29 and May 27 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Whittington & Gribble, Bristol.—Petition filed April 8.

WILLIAM FARROW, Kingston-upon-Hull, coal merchant, April 30 and May 21 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Levett & Champney, Hull.—Petition dated and filed April 11.

THOMAS MOORE the younger, late of Sunderland, but now of South Hylton, Durham, merchant, April 25 and June 5 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. J. J. & G. W. Wright, and Burn, jun., Sunderland; Maples & Co., 6, Frederick's-place, Old Jewry, London.—Petition filed April 10.

LORENS THEODOR WANG, Sunderland, Durham, merchant, April 25 at 11, and June 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Jobling & Fleming, Newcastle-upon-Tyne; Bell & Co., 9, Bow-churchyard, Cheapside, London.—Petition filed March 26.

MEETINGS.

Thomas C. Jones, Blackfriars-road, Surrey, linendraper, April 25 at half-past 11, Court of Bankruptcy, London, pr. d.—*Timothy A. Curtis*, Tokenhouse-yard, London, merchant, April 26 at 1, Court of Bankruptcy, London, ch. ass.—*John Berugh*, High Holborn, Middlesex, oil and colour man, April 28 at 11, Court of Bankruptcy, London, last ex.—*Richard Pope* and *John B. Pope*, Adelaide-place, London-bridge, London, and Criggleston, Yorkshire, brick manufacturers, April 26 at half-past 11, Court of Bankruptcy, London, and. ac.—*James Barr*, New Turnstile, High Holborn, and Old-road, St. Pancras, Middlesex, builder, April 26 at 1, Court of Bankruptcy, London, and. ac.—*Richard G. Ward*, Brownlow-street, Drury-lane, Middlesex, coach currier, April 26 at half-past 12, Court of Bankruptcy, London, and. ac.—*John Bates*, Kettering, Northamptonshire, watchmaker, April 26 at 11, Court of Bankruptcy, London, and. ac.—*Joseph Watkins*, Belmont-row, Vauxhall, Surrey, draper, April 26 at 12, Court of Bankruptcy, London, and. ac.—*John Philpotts*, Holborn-bars, London, shawl warehouseman, April 26 at 1, Court of Bankruptcy, London, and. ac.—*Charles Lightfoot*, Torquay, Devonshire, livery-stable keeper, April 25 at 1, District Court of Bankruptcy, Exeter, and. ac.; May 6 at 11, div.—*Arthur Charnan*, Downside Cobham, Surrey, farmer, May 6 at half-past 12, Court of Bankruptcy, London, div.—*Wm. Smith*, Curtain-road, near Worship-st., Middlesex, timber merchant, May 6 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Tennant*, Chertsey, Surrey, draper, May 6 at 12, Court of Bankruptcy, London, div.—*Robert Godemark* the younger, Crosby-row, Walworth-road, Surrey, grocer, May 6 at 11, Court of Bankruptcy, London, div.—*Worthington Brice*, Bristol, merchant, May 8 at 11, District Court of Bankruptcy, Bristol, div.—*David Storm*, Cardiff, Glamorganshire, builder, May 8 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Thomas Hardwick* and *Winter Hardwick*, Leeds, York-

shire, auctioneers, May 6 at 11, District Court of Bankruptcy, Leeds, first and fin. div. sep. est. of *Thomas Hardwick*; at 1, div. joint est.—*Wm. Harrison*, Tynemouth, Northumberland, merchant, May 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Sampson Langdale* the elder and *Sampson Langdale* the younger, Stockton-upon-Tees, Durham, and Yarm, Yorkshire, corn dealers, May 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Truby, Bicester, Oxfordshire, hardwareman, May 8 at 11, Court of Bankruptcy, London.—*William Hood*, Lawrence-lane, Cheapside, London, commission agent, May 7 at 2, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

William Thompson, Newcastle-upon-Tyne, grocer.—*John Frederick Brett*, Gateshead, Durham, tailor.—*James Mathison*, Ferry-hill, Durham, builder.—*John Dolphus*, Hunter-house, Durham, banker.—*William Cousins*, Wolverhampton, Staffordshire, coach builder.—*James Simons*, Wibtoft, Warwickshire and Leicestershire, horse dealer.—*Edward Leigh*, Glossop, Derbyshire, cotton manufacturer.

PETITION ANNULLED.

Edward Smith, Worcester, hop and seed merchant.

PARTNERSHIPS DISSOLVED.

Peter Teit Harbin and Richard Danvers Ward, Clement's-inn, Middlesex, attorneys and solicitors.—*John Craddock* and *George William Craddock*, Nuneaton, Warwickshire, attornies and solicitors.

SOOTON SEQUESTRATION.

Henry Mayne M^r William, Glasgow, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Temlett, Bristol, butcher, April 23 at 11, County Court of Gloucestershire, at Bristol.—*James Cherrington*, Newborough, Northamptonshire, farmer, May 7 at 12, County Court of Lincolnshire, at Spalding.—*Henry Scadding*, Millbrook, Southampton, in no business, April 28 at 10, County Court of Hampshire, at Southampton.—*George Bowyer*, Southampton, fisherman, April 28 at 10, County Court of Hampshire, at Southampton.—*Ann Nelson*, widow, Thrumpton, Ordsall, Nottinghamshire, paper manufacturer, May 7 at 10, County Court of Nottinghamshire, at East Retford.—*George Miller*, Birkenhead, Cheshire, beer-house keeper, April 25 at 9, County Court of Lancashire, at Liverpool.—*Samuel Davidson*, Liverpool, wholesale provision dealer, April 25 at 9, County Court of Lancashire, at Liverpool.—*Water Thomas* the younger, Liverpool, shoemaker, April 25 at 9, County Court of Lancashire, at Liverpool.—*James Frankland*, Liverpool, bookkeeper, April 25 at 9, County Court of Lancashire, at Liverpool.—*Thomas Bartram*, Liverpool, plasterer, April 25 at 9, County Court of Lancashire, at Liverpool.—*Matthew Somers*, Liverpool, beer-house keeper, April 25 at 9, County Court of Lancashire, at Liverpool.—*Joseph Salisbury*, Liverpool, sailmaker, April 25 at 9, County Court of Lancashire, at Liverpool.—*Hugh M^r Queen*, Liverpool, blockmaker, April 25 at 9, County Court of Lancashire, at Liverpool.—*Christopher Smith*, Liverpool, publican, April 25 at 9, County Court of Lancashire, at Liverpool.—*Mary Reeves*, Bitterne, Southampton, domestic servant, April 28 at 10, County Court of Hampshire, at Southampton.—*Jeremiah Illingworth*, Barnsley, Yorkshire, weaver, May 2 at 12, County Court of Yorkshire, at Barnsley.—*James Poolman*, Frome Selwood, Somersetshire, cabinet maker, April 23 at 11, County Court of Somersetshire, at Frome.—*Thomas Pattle* the younger, Bury St. Edmund's, Suffolk, grocer, April 28 at 10, County Court of Suffolk, at Bury St. Edmund's.—*She-drach Bourn*, Swattonfield, Berkshire, out of business, May 12 at 11, County Court of Berkshire, at Reading.—*William Chandler*, Boston, Lincolnshire, miller, May 6 at 10, County Court of Lincolnshire, at Boston.—*Thomas Waddingham*, Tarrvin, Cheshire, teacher of classics, May 8 at 10, County Court of Cheshire, at Chester.—*Thomas Viner*, Hudders-

field, Yorkshire, painter, May 16 at 10, County Court of Yorkshire, at Huddersfield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

April 30 at 11, before the CHIEF COMMISSIONER.

Richard A. Price, Noel-street, Islington, Middlesex, gentleman.—*Richard Owens*, Lombard-terrace, Chelsea, Middlesex, cheesemonger.—*Henry Young*, Hackney-road, Middlesex, cheesemonger.—*Joseph Robinson*, Brewer-street, Pimlico, Middlesex, hairdresser.—*William Thos. Mackey*, Brick-lane, Spitalfields, Middlesex, japanner.

April 30 at 10, before Mr. Commissioner LAW.

Joseph Edwards, Clifton-road, Loughborough-rd., Brixton, Surrey, hairdresser.—*Edward Coveney*, Clarendon-st., Camberwell New-road, Surrey, dealer in hay.—*J. W. Clarke*, Bostock-street, Old Gravel-lane, Shadwell, Middlesex, ship biscuit baker.—*Philemon Cockerill*, Murray-street, Camden-square, Camden-town, Middlesex, painter.—*C. Weatherley*, Moreton-place, Camden-town, Middlesex, haberdasher.—*W. Chamberlain*, Devonshire-street, Mile-end, Middlesex, commercial traveller.

Saturday, April 12.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

John Jukes, Hunter-street, Brunswick-square, Middlesex, engineer, No. 62,059 T.; *George Boys*, assignee.—*Thomas Wallis*, Sloane-st., Chelsea, Middlesex, tailor, No. 62,073 T.; *John H. Hunt*, assignee.—*James Logie*, Great George-street, Bermondsey, Surrey, potato merchant, No. 62,126 T.; *Wm. Man* the younger, assignee.—*John Hardwick*, Barugh Ambo, near Malton, Yorkshire, farmer, No. 73,237 C.; *Benj. B. Thompson*, assignee.—*George Millard*, Brighton, Sussex, builder, No. 73,088 C.; *Richard Patching*, assignee.—*Thos. Heath*, Brooms Eaves, near Broom, Forest of Dean, Gloucestershire, labourer, No. 73,256 C.; *Richard Morgan*, assignee.—*Samuel Clay*, Silver-royd Hill, Wortley, near Leeds, Yorkshire, grocer, No. 73,476 C.; *John Dawson*, assignee.—*Wm. Yeoman* the younger, Beilby, near Pocklington, Yorkshire, farmer, No. 73,471 C.; *Thomas Kirby*, assignee.

Saturday, April 12.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Samuel Willie, East-street, Manchester-square, Middlesex, plumber: in the Debtors Prison for London and Middlesex.—*Jos. Jelly*, Grove-street, Camden-town, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*Henry Bedford*, Three Tuns-passage, Newgate-market, London, poultryer: in the Debtors Prison for London and Middlesex.—*Henry Wm. Crew*, King-street, Chelsea, Middlesex, bricklayer: in the Queen's Prison.—*Abraham Northen*, King-st., Snow-hill, London, shoemaker: in the Debtors Prison for London and Middlesex.—*Wm. Park*, Coppice-row, Clerkenwell, Middlesex, globe maker: in the Debtors Prison for London and Middlesex.—*Amrose Boyce*, Charlotte-street, Fitzroy-square, Middlesex, milliner: in the Debtors Prison for London and Middlesex.—*T. G. Smith*, Tannison-st., York-road, Lambeth, Surrey, not in any business: in the Queen's Prison.—*W. Hutchinson*, Acre-lane, Brixton, Surrey, grocer: in the Gaol of Horsemonger-lane.—*A. Russell*, Frant, Sussex, gardener: in the Debtors Prison for London and Middlesex.—*J. Williams*, High-street, St. Marylebone, Middlesex, green-grocer: in the Debtors Prison for London and Middlesex.—*Charles Brereton*, High-street, Barnet, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Jas. H. S. Wildsmith*, Gloucester-street, Queen-square, Middlesex, lecturer on chemistry: in the Debtors Prison for London and Middlesex.—*Wm. G. Bentley*, Great Portland-st., St. Marylebone, Middlesex, projecting wood letter manufacturer: in the Queen's Prison.—*Wm. Michliglioli*, New Church-street, Limon-grove, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Isidore Bernstein*, Strand, Mid-

dlesex, tailor: in the Debtors Prison for London and Middlesex.—*Duncan Bowman*, Fore-street, Cripplegate, London, tailor: in the Debtors Prison for London and Middlesex.—*Edw. Murphy*, Fen-court, Fenchurch-street, London, jobbing porter: in the Debtors Prison for London and Middlesex.—*Matthew Appleton*, Liverpool, baker: in the Gaol of Lancaster.—*M. Bramwell*, Ashton-under-Lyne, Lancashire, retail dealer in ale: in the Gaol of Lancaster.—*Sarah A. Fowler*, Manchester, spinster: in the Gaol of Lancaster.—*P. Jameson*, Staleybridge, Lancashire, tailor: in the Gaol of Lancaster.—*T. Jones*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Thomas Melody*, Blackburn, Lancashire, hay dealer: in the Gaol of Lancaster.—*Thos. Nuttall*, Bolton-le-Moors, Lancashire, flour dealer: in the Gaol of Lancaster.—*Joseph Pearson*, Liverpool, provision-shop keeper: in the Gaol of Lancaster.—*John Parry*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Thomas Silk*, Nether Whitacre, Warwickshire, manager of the Railway Tavern: in the Gaol of Coventry.—*Jos. Wellsted*, Tredworth-field, near Gloucester, out of business: in the Gaol of Gloucester.—*John Widdall*, Bolton-le-Moors, Lancashire, licensed victualler: in the Gaol of Lancaster.—*David Worthington*, Salford, Lancashire, baker: in the Gaol of Lancaster.—*William Whyte*, Hindley, near Wigan, Lancashire, out of business: in the Gaol of Lancaster.—*John Stedden*, Preston, Lancashire, provision-shop keeper: in the Gaol of Lancaster.—*Joseph Bray*, Hereford, innkeeper: in the Gaol of Hereford.—*D. Bryan*, Cottingham, near Hull, Yorkshire, in no trade: in the Gaol of York.—*Richard Mawdsley*, Manchester, machine broker: in the Gaol of Lancaster.—*James Lawrence*, Ware, Hertfordshire, shoemaker: in the Gaol of Hertford.—*Alfred Cecil Stancombe*, Trowbridge, Wiltshire, clerk in a cloth factory: in the Gaol of Fisherton Anger.—*John Scott*, Bristol, grocer: in the Gaol of Bristol.—*Charles Gray*, Dudley, Worcestershire, auctioneer: in the Gaol of Worcester.—*Rich. Shadick*, Gravesend, Kent, carrier: in the Gaol of Maidstone.—*Francis Meilleur*, Plumstead, near Woolwich, Kent, beerseller: in the Gaol of Maidstone.—*John Bustard*, Hulme, Manchester, builder: in the Gaol of Lancaster.—*Isaac Howard*, Holme, near Holmfirth, Yorkshire, cloth manufacturer: in the Gaol of York.—*Edward Hinchcliffe*, Wakefield, Yorkshire, plumber: in the Gaol of York.—*John Merfield*, Gerrans, Cornwall, master mariner: in the Gaol of Bodmin.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

April 29 at 11, before the CHIEF COMMISSIONER.

George James Parker, Tavistock-street, Covent-garden, Middlesex, printer.

April 30 at 10, before Mr. Commissioner LAW.

Richard Thomas Forrest, Battersea-fields, Surrey, brewer.—*Mark Collins*, Northam-buildings, Somers-town, Middlesex, dealer in old clothes.

Adjourned.

Thos. Craig, Upper Mitcham, Surrey, out of business.

May 1 at 11, before Mr. Commissioner PHILLIPS.

Robert Smith, Basinghall-st., London, accountant.—*John George Fuller*, Lorn-road, North Brixton, Surrey, out of business.—*Henry Wm. Crew*, King-st., Chelsea, Middlesex, bricklayer.—*John Roberts Fitch*, Hatton-garden, Middlesex, wholesale jeweller.

Adjourned.

Richard Dry, North-terrace, Mount-gardens, Westminster-road, Surrey, out of business.—*Reuben Joseph Rawson*, Stratford, Essex, accountant.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hertfordshire, at HERTFORD, April 30.

James Lawrence, Ware, shoemaker.

At the County Court of Cambridgeshire, at CAMBRIDGE, April 28 at 10.

Wm. Gray, Wisbilingdon, Doddington, Isle of Ely, farmer.—*Frederick Fenwick*, Stotthworth, farmer.—*James Meeks*, Sutton, Isle of Ely, blacksmith.

At the County Court of Gloucestershire, at GLOUCESTER, May 1 at 10.

James Wellsted, Tredworth-field, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, May 1 at 10.

George Manning, Coase Lawn, Eldersfield, Worcestershire, farmer.

At the County Court of Brecknockshire, at BRECKNOCK, May 6 at 10.

John Rosser, Llwynmock, Penderyn, miner.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, May 9 at 10.

Wm. Crickmore, Broome, near Loddon, husbandman.

MEETINGS.

Wm. Pickles, Bradford, Yorkshire, plasterer, April 30 at 11, Foster's, Bradford, Yorkshire, sp. aff.—James Tagg, Forebridge, Castle Church, Staffordshire, baker, May 1 at 11, Bowen's, Martin-street, Stafford, sp. aff.

FRIDAY, APRIL 18.

BANKRUPTS.

HENRY BRIGHT, Maldon, Essex, corn merchant, April 26 at 12, and May 29 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Duffield, 14, Devonshire-st., Bishopsgate, and Chelmsford, Essex.—Petition dated April 5.

SAMUEL MANNING, Union-place, New-road, Middlesex, statuary and mason, April 29 at 11, and May 29 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Turnley, Cornhill.—Petition filed April 15.

THOMAS HATFIELD and **ROBERT HATFIELD**, Clapham, Surrey, plumbers and glaziers, dealers and chapmen, May 7 at 1, and May 29 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Blake, 2, Serjeant's-inn, Fleet-street.—Petition filed April 14.

JOHN PENNYCAD, High-st., Woolwich, Kent, grocer and cheesemonger, April 29 at 1, and May 29 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Wright & Bonner, 15, London-st., Fenchurch-st.—Petition filed April 15.

JULES SAMUEL ROCHAT, St. Martin's-lane, Middlesex, watchmaker, dealer and chapman, April 29 at 11, and May 27 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Cooper, 3, Verulam-buildings, Gray's-inn.—Petition filed April 15.

JOHN DEW and **JANE ESTILL**, Bath, Somersetshire, pawnbrokers, dealers and chapmen, April 29 and May 27 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Hellings, Bath; Cooke, London.—Petition filed April 10.

GEORGE WAUGH, Seceugh, Edendall, Cumberland, banker, farmer, dealer and chapman, April 25 at 11, and June 4 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Watson, Newcastle-upon-Tyne; Shield & Harwood, 26, Queen-st., Cheapside, London.—Petition filed April 16.

MEETINGS.

Wm. Tennant, Chertsey, Surrey, draper, April 30 at 2, Court of Bankruptcy, London, last ex.—Hugh Buckman, McMillan and Robert Service Wilson, Preston and Accrington, Lancashire, drapers, April 28 at 12, District Court of Bankruptcy, Manchester, last ex.—Hiram Williamson, Manchester, manufacturer, April 28 at 12, District Court of Bankruptcy, Manchester, last ex.—William Taylor, Creek-road, Deptford, Kent, shipwright, May 8 at 1, Court of Bankruptcy, London, and ac.—Thos. Pope, Cockspur-st., Charing-cross, Westminster, Middlesex, and Lombard-street, London, coal merchant, May 2 at half-past 1, Court of Bankruptcy, London, and ac.; May 9 at 2, div.—Wm. Wilson, Newcastle-upon-Tyne, scrivener, May 9 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—Robert Armstrong, Newcastle-upon-Tyne, shipwright, May 6 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—John Thompson Phipps, Darlington, Durham, linendraper, May 8 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; May 9 at 11, div.—Sampson

Langdale the elder and Sampson Langdale the younger, Stockton-upon-Tees, Durham, and Yarm, Yorkshire, corn dealers, May 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—Gielis Francis Henry and Henry John Chambers, Kirkdale, Liverpool, vinegar brewers, April 28 at 11, District Court of Bankruptcy, Liverpool, and ac.—Thomas Atkinson, Liverpool, slater, April 28 at 11, District Court of Bankruptcy, Liverpool, and ac.—Jonas Harrop, Macclesfield, Cheshire, silk dyer, May 5 at 12, District Court of Bankruptcy, Manchester, and ac.; May 12 at 12, div.—Joseph Haley and William Thomason, Manchester, cotton manufacturers, May 2 at 12, District Court of Bankruptcy, Manchester, and ac.; May 9 at 12, div.—William Eccles, Walton-le-Dale, Lancashire, cotton spinner, May 8 at 12, District Court of Bankruptcy, Manchester, and ac.; May 9 at 12, div.—Maurice Jarvis, Leeds, Yorkshire, wool merchant, May 1 at 11, District Court of Bankruptcy, Leeds, and ac.—Wm. Starkey, Huddersfield, Yorkshire, woolstapler, May 1 at 11, District Court of Bankruptcy, Leeds, and ac.—Jesse Ross, Leicester, woolstapler, May 2 at 11, District Court of Bankruptcy, Nottingham, and ac.—Edmund P. Sardinson, John Weston, and Richard Murch, Wood-street, London, warehousemen, May 9 at 2, Court of Bankruptcy, London, fin. div.—James Archer, Old King-street, Deptford, Kent, baker, May 9 at 2, Court of Bankruptcy, London, div.—Henry G. Stahlachmidt, Fenchurch-st., London, merchant, May 9 at half-past 1, Court of Bankruptcy, London, div.—James Porter, High-street, Camden-town, Middlesex, upholsterer, May 15 at 12, Court of Bankruptcy, London, div.—Alexander B. Callender, Mincing-lane, London, corn factor, May 12 at 12, Court of Bankruptcy, London, div.—John Hall, Brighton, Sussex, victualler, May 9 at 11, Court of Bankruptcy, London, div.—Robt. Camping, Norwich, haberdasher, May 12 at 11, Court of Bankruptcy, London, fin. div.—John Peachey, Regent-st., Middlesex, ironmonger, May 15 at 12, Court of Bankruptcy, London, fin. div.—Joseph Seels, Fresschool-street, Horsleydown, Southwark, Surrey, rectifier, May 13 at 12, Court of Bankruptcy, London, div.—George Pratt and J. Bodle, Addison-road North, and Queen's-road, Notting-hill, Middlesex, builders, May 9 at 2, Court of Bankruptcy, London, fin. div. sep. est. of John Bodle.—William Waterman, Sheffield, Yorkshire, grocer, May 10 at 10, District Court of Bankruptcy, Sheffield, div.—Augustus Keppel Holman, Leeds, Yorkshire, cloth manufacturer, May 9 at 11, District Court of Bankruptcy, Leeds, div.—Joshua Ussin, Bradford, Yorkshire, stuff manufacturer, May 9 at 11, District Court of Bankruptcy, Leeds, div.—Wm. Smith, South Stockton, Yorkshire, ship builder, May 9 at 11, District Court of Bankruptcy, Leeds, div.—William L. Prattman, Butter Knowle Lodge, and Michael Forster, Copley, Durham, timber merchants, May 9 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div. sep. est. of W. L. Prattman; at half-past 12, div. joint est.—Joseph Henry Clegg, Rylton, Lancashire, cotton spinner, May 12 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Baron, Buckingham, shoemaker, May 12 at 11, Court of Bankruptcy, London.—John Pullen, Powis-place, Great Ormond-st., Middlesex, lodging-house keeper, May 12 at 1, Court of Bankruptcy, London.—James Haywood, Oxford-street, Whitechapel, Middlesex, watchmaker, May 9 at 2, Court of Bankruptcy, London.—Thomas Cox, Cambridge, chemist, May 9 at 1, Court of Bankruptcy, London.—John Murvells, Hythe, Colchester, Essex, innkeeper, May 13 at 11, Court of Bankruptcy, London.—Wm. G. D. Wallis, Grove-place, Lisson-grove, Middlesex, bill broker, May 9 at 12, Court of Bankruptcy, London.—Edwin Unitt, Mickleton, Gloucestershire, cattle dealer, May 13 at 12, District Court of Bankruptcy, Bristol.—James Hill, Durham, grocer, May 9 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—Ann Royston, Chorlton-upon-Medlock, Manchester, brewer, May 12 at 12, District Court of Bankruptcy, Manchester.—E. Lake, Okehampton, Devonshire, druggist, May 8 at 1, District Court of Bankruptcy, Exeter.—J. Brown-sord, Nottingham, butcher, May 9 at 11, District Court of Bankruptcy, Nottingham.—T. Birch, Broseley, Shropshire, coalmaster, May 12 at half-past 10, District Court of Bankruptcy, Birmingham.—William Phillips, Warwick, builder,

May 12 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Thomas Evans, Fen Ditton, Cambridgeshire, innkeeper.—*James Ellis*, Cremorne-house, Chelsea, Middlesex, licensed victualler.—*John Stuckes*, Exeter, innkeeper.—*Chas. Marson*, Newmarket, Cambridgeshire, livery-stable keeper.—*Samuel Lawington*, Devizes, Wiltshire, grocer.

PETITION SUPERSEDED.

William Ford, High Holborn, Middlesex, haberdasher.

SCOTCH SEQUESTRATIONS.

J. Mochkari & Son, Kinross, carriers.—*James Wilson*, Leith, coal merchant.—*William Napier* senior, and *Alexander Crickson*, Glasgow, engineers.—*Rev. Alexander Campbell*, Argyllshire, grazier.—*A. Young & Co.*, Glasgow, engineers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Benjamin Parker, Bristol, out of business, May 21 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Venner*, Bristol, butcher, May 21 at 11, County Court of Gloucestershire, at Bristol.—*John Edmeades Tolhurst*, Billericay, Essex, butcher, May 7 at 11, County Court of Essex, at Brentwood.—*Henry Robert Kivrage*, Bury St. Edmund's, Suffolk, brick-layer, April 28 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Gordon Eggett*, Thetford, Norfolk, rat catcher, April 29 at 2, County Court of Norfolk, at Thetford.—*Owen Williams*, Llanfarchell, Anglesey, grocer, May 14 at 11, County Court of Anglesey, at Llangefni.—*Griffith Williams*, Rhyd-wyn, Llanrhyddlad, Anglesey, shopkeeper, May 14 at 11, County Court of Anglesey, at Llangefni.—*Robert Airstone*, Walsall, Staffordshire, tea dealer, April 25 at 12, County Court of Staffordshire, at Walsall.—*George Pedley*, Darlaston, Staffordshire, bolt turner, April 25 at 12, County Court of Staffordshire, at Walsall.—*Richard Sleight Plant*, Tattershall, near Boston, Lincolnshire, druggist, May 8 at 10, County Court of Lincolnshire, at Horncastle.—*Sibrit Abbott*, Horncastle, Lincolnshire, blacksmith, May 8 at 10, County Court of Lincolnshire, at Horncastle.—*Jeremiah Wiffen*, Whimsousett, Norfolk, cattle dealer, April 29 at 10, County Court of Norfolk, at East Dereham.—*Sarah Draper*, Brighton, Sussex, out of business, April 25 at 12, County Court of Sussex, at Brighton.—*Owen Peters*, Brighton, Sussex, out of business, April 25 at 12, County Court of Sussex, at Brighton.—*John Wellington*, Redmarley D'Abitott, Worcestershire, retailer of beer, May 8 at 11, County Court of Gloucestershire, at Newent.—*James Broom*, Harwich, Essex, blacksmith, May 9 at 12, County Court of Essex, at Harwich.—*John Lasell*, Writtle, Essex, commission agent, May 8 at 11, County Court of Essex, at Chelmsford.—*Joseph Cocksworth*, Woodmansey, Beverley, Yorkshire, grocer, April 24 at 11, County Court of Yorkshire, at Beverley.—*Henry Wraight*, Canterbury, Kent, licensed victualler, April 23 at 10, County Court of Kent, at Canterbury.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 2 at 11, before the CHIEF COMMISSIONER.

Robt. W. Robson, Seymour-place, Bryanstone-square, Middlesex, coach painter.

May 2 at 10, before Mr. Commissioner LAW.

George Armes, Flask-walk, Hampstead, Middlesex, grocer.—*John Proctor*, Morpeth-street, Bethnal-green, Middlesex, postmaster.

May 3 at 11, before Mr. Commissioner PHILLIPS.

Jos. Hubert Bee, Brooker's-cottage, Peckham-rye, Surrey, teacher of music.—*Henry D. Miles*, Laurel-cottage, Queen-street, King's-road, Chelsea, Middlesex, author.—*Wm. E. H. Mellis*, Mary Ann-place, Southwark-bridge-road, Surrey, stonemason.—*Wm. Nobes*, Bedford-cottages, Cottage-grove, Clapham-rise, Surrey, omnibus driver.

May 5 at 10, before Mr. Commissioner LAW.

Richard Bird, Morgan-st., Commercial-road East, Middlesex, assistant to a cork merchant.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 2 at 11, before the CHIEF COMMISSIONER.

John Stanley, Weston-st., New-road, Pentonville, Middlesex, attorney-at-law.—*Hen. Wm. How*, Leipsic-road, Camberwell New-road, Surrey, out of business.

May 2 at 10, before Mr. Commissioner LAW.

Wm. Stent, Orchard-street, Portman-square, Marylebone, Middlesex, architect.—*Fred. W. Stent*, Orchard-street, Portman-square, St. Marylebone, Middlesex, architect.—*George Machell*, Dennis-cottages, Lower-road, Rotherhithe, Surrey, carpenter.

May 3 at 11, before Mr. Commissioner PHILLIPS.

Wm. Hunt, Portland-street, Walworth, Surrey, out of employment.—*J. Over*, Princeps-sq., Kennington-road, Surrey, commission agent for the sale of soap.—*Edmund Cook*, East Woodhay, Hants, near Newbury, Berkshire, and South-row, New-road, St. Pancras, Middlesex, out of business.

May 5 at 10, before Mr. Commissioner LAW.

Samuel King, Halliford-street, Lower-road, Islington, out of business.—*Wm. Willmott* the elder, Great Cambridge-st., Hackney-road, Middlesex, and Bond-court, Walbrook, London, stock and share dealer.—*John Pearce Cameron*, Stafford-place, Fimlico, Middlesex, commission agent to an army clothier.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at BRISTOL,
May 7 at 11.

Wm. Hopkins, Bristol, out of business.

At the County Court of Dorsetshire, at DORCHESTER,
May 6 at 10.

George J. P. Knight, Bridport, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM,
May 8 at 9.

Edward Abbott, Radford, miller.

INSOLVENT DEBTOR'S DIVIDEND.

Howell Lewis, Llysavon, Glamorganshire, shoemaker, April 28, Dalton's, Cardiff, Glamorganshire: 13s. 2½d. in the pound.

The Queen has been pleased to confer the honour of Knighthood upon George James Turner, Esq., a Vice-Chancellor; also upon William Page Wood, Esq., M.P., her Majesty's Solicitor-General.

The Right Hon. Sir John Romilly, Knt., Master of the Rolls, and the Right Hon. Sir George James Turner, Knt., a Vice-Chancellor, were, by her Majesty's command, sworn of her Majesty's most honourable Privy Council, and took their respective places at the Board accordingly.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed Thomas Nicka, Gent., of the borough of Warwick, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Warwick.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—

Richard Bethell, Esq., for the borough of Aylesbury, in the room of Frederick Calvert, Esq., whose election has been declared void; *James Whiteside*, Esq., Q.C., for the borough of Enniskillen, in the room of the Hon. Henry Arthur Cole, who has accepted the office of Steward of her Majesty's Chiltern Hundreds; *James Moncreiff*, her Majesty's Advocate for Scotland, for the burghs of Leith, Portobello, and Musselburgh, in the room of Andrew Rutherford, Esq., who has accepted the office of one of the Judges of her Majesty's Court of Session in Scotland.

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LONDON, APRIL 26, 1851.

It is the practice in the Court of Chancery, on the days set apart for motions, for the motions to be made according to seniority, in this order:—The senior leading counsel is entitled to make two opposed motions, (the unopposed ones being like bread at a French table *d'hôte*, à discretion), the next his two, and so on. If the motions within the Bar are exhausted, the junior Bar are called on in the same manner, each according to his seniority, to make two opposed motions. If the motions cannot be all disposed of on the seal day, the Court occasionally prolongs the seal till and during the next day; but, except after the termination of regular sittings—that is, during the few days which are devoted to business after the last seal of each set of sittings—it is not usual to continue any seal for more than two days; so that motions not disposed of on a given seal day stand over till the next, when the same process recommences, the inner Bar moving, according to seniority, at the rate of two motions to each counsel, either their old motions, or any new ones, before anything can be moved behind the Bar.

It is also the practice in the Court of Chancery, that the counsel instructed to move, in any given number of cases, is not bound by any rule as to the order in which the notices have been given, but may move them in such order as is most convenient to himself or to his clients; and that the counsel instructed to oppose any motion must be ready to meet it whenever it suits the counsel for the motion to move. It is further the practice, that whenever a notice of motion has been regularly given, the solicitors for all parties are bound to watch it on every seal day on which it may be moved, and are entitled to charge for their attendance the sum of 13s. 4d. We have made this short statement of the practice, with which, of course, many of our readers are quite familiar, in order the more clearly to place before all our readers the mode in which it works. How the practice works when the

Court of Chancery has a light amount of business it is not material to inquire. What we have to inquire is, how it works when the Court is loaded, as it now is, and is likely to be for a long time, even with the addition of the third Vice-Chancellor. Now, we will shortly state the statistics of one branch only of the Court in reference to opposed motions.

In Vice-Chancellor Lord Cranworth's Court, it is understood that there are in the hands of one leading counsel only, about eighty opposed motions yet to be heard, of which notice has been duly given; and in the hands of another upwards of forty. We are not apprised of the exact balance in the hands of other leading counsel, but we believe the total is not less than 150 opposed motions waiting to be heard. It is quite certain that these motions—assuming one half of them to be compromised, or on various grounds to go off—cannot be disposed of in less than thirty-seven actual days, it being found that on an average not more than two argued motions, of sufficient importance to be placed in the hands of senior counsel, are heard in one day; and as there are but five seals in each term, and one seal per fortnight in the Vacation Sittings, there will be, assuming that there is a seal between this and the ensuing term, only fifteen seal days between this and the Long Vacation; so that, assuming each seal but the last to be carried over two days, and allowing, say one entire week for motions following the last seal, there cannot be more than thirty-four days for motions before the Long Vacation—not enough to dispose of the seventy-five motions, supposing no new ones to be added, while it is certain that a great many new ones will be added.

Now, as it is quite uncertain which of the seventy-five contested motions may be moved on any given seal day, the counsel and solicitors opposed to it must be ready on every day on which it is moveable. The inconvenience and loss of time to the counsel, if they happen to be, as is sometimes the case, juniors without leaders, or juniors with absent leaders, is great; but, as we will not say much, as nobody ever thinks of the inconvenience



nience or inconvenience of junior counsel worth caring about; and whether a junior is in attendance waiting for a motion for a few hours or a few days is immaterial to the suitor, his expense not being increased thereby. But the unnecessary attendance of the solicitor or his client at 13s. 4d. per day, for a motion which is not made, is a very different thing; that is a substantial loss to the suitor, without being a substantial gain to the solicitor, who is not adequately remunerated by the payment. And taking such a state of business as that which we have described, it will be found that before the seventy-five motions are disposed of, the sum *wasted*, not employed in paying effective service, but wasted to the suitor in paying for fruitless attendance, is something frightful. It will be thus, assuming that no new notices of motion are given—for the first day there will be 73 motions watched, and necessarily not brought on; on the second 71, and so on, diminishing two per day. Now, on the average, there are three parties to a motion; there are sometimes many more, but the average is three, which at 13s. 4d. = 2l. per motion. On the first motion day, therefore, the suitors of the court will have paid 2l. \times 73 = 146l. for nothing; on the second day 142l., and so on till the end. The total sum paid by the suitors for attending motions not brought on, will be found to be very large. This is supposing the motions to remain without any addition; in reality, the motions will come in about as fast, at the least, as they are disposed of; so that the suitors of *one* court will pay for watching for motions not brought on, between this and the Long Vacation, at the rate of about 140l. to 150l. per motion day. How long such a payment may continue afterwards, no one can calculate.

Now, this fruitless expense arises, as we have said, from the certainty, that not nearly the number of motions of which notice is given, can be made on any one seal day; from the uncertainty when it may suit the convenience of counsel for the motion to make it; and from the consequent necessity of the respondent's solicitor in each motion, by himself or by his clerk, attending, to be in readiness to meet the motion, if made. Of course the delay is, to a certain extent, unavoidable: no human exertion can dispose of an accumulation of motions without delay. But the suitor might easily be saved the expense of paying for his solicitor's attendance, except when there is a tolerable certainty, or at least a reasonable expectation, of its being really wanted, if, in all the courts, there was on the seal days a list of motions, just as there is now in the Lord Chancellor's court—a list of appeal motions; and in all the courts lists of the petitions.

Why it is not the practice no one can conceive, except that it never has been the practice. But that it would be a beneficial practice for all parties concerned, whenever the Court is loaded with business, most of all for the suitors as a body, we think we have fully shewn by our figures. When the business of the Court is light, it is not of much consequence, as we have before observed, what rule of proceeding is followed, and no inconvenience at least could result then from a motion paper.

It might happen occasionally, even with a list, that parties would have to be in attendance more than once,

without their motions being brought on; but the evil might be, at any rate, reduced within moderate bounds*.

A JUDGMENT CREDITOR'S LIEN UPON THE BENEFICE OF HIS DEBTOR.

TO THE EDITOR OF "THE JURIST."

SIR,—I was, on the first perusal of your observations on Lord Cranworth's decision in *Hawkins v. Gathercole*, inclined to agree with you in doubting the propriety of a decision, the grounds of which were certainly not very clearly expressed in the reported judgment. But on further consideration of the case, I think that there is no good reason for restraining the literal effect of the recent statute. At the common law a creditor had, in ordinary cases, but two writs of execution upon a judgment for a debt or damages—the writ of *feri facias*, under which the debtor's goods and chattels only could be taken; and the writ of *levari facias*, by which the sheriff was commanded also to levy upon the profits of the debtor's land. (2 Inst. 394). The same writ was and is available against the benefice of a clergyman; but, as the sheriff has no jurisdiction over ecclesiastical things, the writ is directed to the bishop of the diocese as a kind of ecclesiastical sheriff, requiring him to levy the debt and damages *de bonis ecclesiasticis*, which he does by issuing a warrant of sequestration to the churchwardens to collect the profits of the benefice, and, after providing for the service of the church, to pay the surplus to the plaintiff, until his demand is satisfied. In this the bishop acts merely as an officer of the court in which the debt is recovered, and must return the writ to that court. The statute of Westminster 2, which gave a remedy against the land itself of the debtor by the writ of *elegit*, authorises the writ to be directed to the sheriff, who cannot extend the glebe land; (Jenk. 207, pl. 36; 3 B. & P. 327); and though, by a liberal construction of the statute, it has been held to authorise any Court of record to issue the like writ to its own immediate officer—as the serjeant at mace of the city of London, (2 Inst. 395)—yet a writ of *elegit* has never been directed to the bishop in respect of the glebe land of a debtor, even during the time when benefices were alienable. Nor has the Crown, which always had a prerogative right to extend the land of its debtor, ever claimed any remedy against a benefice with cure, otherwise than through a writ to the bishop, under which the benefice is sequestered. (3 B. & P. 327).

The profits of a benefice are not bound by the judgment, nor by the writ of *levari facias*, and the priorities among creditors are determined by the order of publication of the warrants of sequestration on their respective writs. (*Bennett v. Apperley*, 6 B. & Cr. 630).

The stat. 13 Eliz. c. 20, enacts, that all chargings of any benefice or ecclesiastical promotion with any pension, or any profit out of the same, shall be utterly void. This prohibition was evidently not intended to restrict the ordinary remedy of a creditor to recover a debt actually due by the process of sequestration; and accordingly it is settled, that, under a judgment given by a clergyman to secure an annuity, the annuitant,

* The appointment of Vice-Chancellor Turner will of course have some effect upon the business of the other courts, and will, to some small extent, diminish the pressure of the evils above complained of; but nothing will materially operate upon it, whenever the Court of Chancery is overloaded, except the adoption of a regular paper for motions. Of course all kinds of objections will be made to this suggestion. When any rational one is put forward, it will be time enough to answer it.

though he obtains no lien on the benefice, may from time to time have a sequestration for the arrears actually due. (*Faircloth v. Gurney*, 2 Moo. & Sc. 822; *Colebrook v. Layton*, 4 B. & Ad. 578). The authority of the cases in which the expression of an intent to charge the benefice has been held to invalidate the judgment and execution is questionable; but that point did not arise in *Hawkins v. Gathercole*.

Such being the state of the law, the stat. 1 & 2 Vict. c. 110, after enacting, in the 11th section, that the existing law was defective in not providing adequate means for enabling judgment creditors to obtain satisfaction from the property of their debtors, and that it was expedient to give judgment creditors more effectual remedies against the real and personal estate of their debtors than they possessed under the existing law, enacted, by the same section, that it should be lawful for the sheriff or other officer to whom any writ of elegit, or any precept in pursuance thereof, should be directed, to make and deliver execution unto the party suing of all such lands, tenements, rectories, tithes, rents, and hereditaments, including lands and hereditaments of copyhold or customary tenure, as the person against whom execution was so sued should have been seised or possessed at the time of entering up the said judgment, or at any time afterwards, or over which such person should at the time of entering up such judgment, or at any time afterwards, have any disposing power, which he might, without the assent of any other person, exercise for his own benefit. The clause then makes the tenant by elegit liable to account, and provides, in the case of copyholds, for the dues and service to the lord.

This enactment merely extends the powers of the sheriff or other officer to whom the writ of elegit is directed, and therefore does not apply to the bishop, to whom such a writ is not issuable; and as the word "land," in the statute of Westminster 2, was held not to include glebe land, so it is plain that the general words in this section do not include glebe land or a benefice. I do not rely on the use of the word "rectories," which seems to refer exclusively to impropriations, and not to benefices with cure, because the principle of such a construction would reduce to silence the concluding word "hereditaments," by confining it to the kinds of hereditaments previously specified.

By the 12th section the remedies under a writ of fieri facias are enlarged, and then the 13th section enacts that a judgment against any person "shall operate as a charge upon all lands, tenements, rectories, advowsons, tithes, rents, and hereditaments (including lands and hereditaments of copyhold or customary tenure) of or to which such person shall at the time of entering up such judgment, or at any time afterwards, be seised, possessed, or entitled for any estate or interest whatever, at law or in equity, whether in possession, reversion, remainder, or expectancy, or over which such person shall at the time of entering up such judgment, or at any time afterwards, have any disposing power, which he might, without the assent of any other person, exercise for his own benefit, and shall be binding as against the person against whom judgment shall be so entered up, and against all persons claiming under him after such judgment, and shall also be binding as against the issue of his body and all other persons whom he might, without the assent of any other person, cut off and debar from any remainder, reversion, or other interest in or out of any of the said lands, tenements, rectories, advowsons, tithes, rents, and hereditaments; and that every judgment creditor shall have such and the same remedies in a court of equity against the hereditaments so charged by virtue of this act, or any part thereof, as he would be entitled to in case the person against whom such judgment shall have been so entered up had power to charge the same hereditaments, and had, by writing under his

hand, agreed to charge the same with the amount of such judgment debt, and interest thereon."

After some further provisions for the benefit of judgment creditors, the act takes up a new subject—the relief of insolvent debtors—and having, in the 37th section, directed that the real and personal property of a petitioning prisoner shall vest in his assignees, enacts, by the 55th section, that nothing in the act contained shall entitle the assignees of a beneficed clergyman or curate to the income of his benefice or curacy, but that the assignees may obtain a sequestration of the profits of such benefice.

The question is, whether the 13th section of the act extends to benefices with cure of souls. The 11th section throws no light on the construction of the 13th. The charges created by the 13th and 14th sections are extended to things not included in the 11th and 12th sections. Advowsons, which are not mentioned in the 11th section, and are not extendible, are mentioned in the 13th; and the equitable charge under the latter is expressly extended to remainders after an estate tail vested in the debtor, though estates tail are not mentioned in the 11th section; and the lien of an elegit creditor does not seem to extend beyond the duration of the estate tail. Now, the language of the 13th section is sufficient to include benefices, and the express exemption of benefices, by the 55th section, from the operation of the 37th, shews that general words referring to real estate were considered sufficient to include them. Benefices were always liable to the payment of debts by the process of sequestration. By giving the further remedy of a charge in equity, the statute will have created no new right against church property, but will only have given a more effectual remedy for an existing right. Under a sequestration the service of the church is first provided for, as being a charge paramount to the beneficial interest of the incumbent, and the same provision must be made in enforcing the charge under the 13th section, for the judgment is subject to all pre-existing charges and equities, as was fully explained in *Whitworth v. Gains*, (1 Ph. 728).

To this construction it has been objected that the Legislature could not have intended to transfer the jurisdiction intrusted to the bishop for the benefit of the church, to the officers of a lay tribunal, and that the language of the 13th section is not larger than that of the statute of Westminster 2, which has been held not to authorise the sheriff to extend a benefice. But it does not follow that the Court of Chancery, in enforcing the charges, will exercise any part of the jurisdiction proper to the bishop alone. All that is committed to the Court of Chancery is the enforcing of the charge for the payment of the judgment debt; and in doing so, the Court may, if it think fit, employ the bishop as its officer, just as a Court of law does by the writ of *levari facias*. And as the judgment charge is subject to the service of the cure, the Court of Chancery may so mould its decree as to leave the bishop free to provide for such service. In the case of *Hawkins v. Gathercole* the Court did not make use of the bishop as its officer, but appointed a receiver, with directions to provide for the service of the church. It is not now material to inquire whether the decree was right in all its details; but it is clear that the receiver could not carry it into execution without obtaining the bishop's approval of the curate to be appointed; and this seems to be all that requires the interference of the bishop. (See 1 & 2 Vict. c. 106). The decisions on the statute of Westminster have no bearing on the question. The execution of a writ of elegit against a benefice would be wholly incompatible with the service of the church, the interests of which could not be properly committed to the care either of the sheriff or of the elegit creditor. An authority to the Court of Chancery to enforce a charge,

having regard to all paramount interests and equities, is a very different thing from a writ of execution to be literally carried into effect by a merely ministerial officer like the sheriff.

The statute of Elizabeth, which has been so much relied upon, seems to me to have no bearing on the question. Notwithstanding that statute, the profits of a benefice have always been subject to the claims of a judgment creditor; and an enactment that those profits shall be applied by the Court of Chancery for the benefit of the creditor, in the same manner as if the debtor had had power to charge the debt on the benefice, and had done so, does not, I submit, in any manner interfere with the statute of Elizabeth. Even if the two enactments were inconsistent, it would be contrary to the rules of construction to deny full effect to the later one, on a mere conjecture that the Legislature did not contemplate all the consequences of what it has said. In *Hawkins v. Gathercole* the debt secured by the judgment was actually due, and a sequestration might have issued for the amount. But if a judgment, entered up by consent to secure an annuity or any future payment, were allowed to operate as a present charge, under the 13th section of the statute of Victoria, that might possibly be objected to, as an infringement of the statute of Elizabeth not warranted by the spirit and intention of the later act. But that was not the question in *Hawkins v. Gathercole*. G. S.

London Gazette.

TUESDAY, APRIL 22.

BANKRUPTS.

ALFRED SMITH BREESE and **GEORGE SMITH BREESE**, Aylsham, Norfolk, ironmongers, May 8 at 11, and June 2 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Ling, Norwich; Cardale & Co., 2, Bedford-row, London.—Petition dated April 7.

JOSEPH ALFRED RICHES, Halesworth, Suffolk, maltster, brewer, and coal, coke, and seed merchant, May 3 at 11, and June 2 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Read, Halesworth, Suffolk; Nettlehip, 15, Clifford's-inn.—Petition dated April 15.

WILLIAM NEWMAN, Great Chart-street, Hoxton, Middlesex, colour manufacturer, May 8 at half-past 11, and June 2 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Hodgson & Burton, 10, Salisbury-street, Strand.—Petition dated April 2.

MEETINGS.

William Waterman, Wicker, Sheffield, Yorkshire, grocer, May 3 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—**Joseph Ford**, Richmond, Surrey, licensed victualler, May 13 at 1, Court of Bankruptcy, London, div.—**Chas. Andrews**, Brighton, Sussex, fruiterer, May 13 at 12, Court of Bankruptcy, London, fin. div.—**John Vaughan Barber**, Walsall, Staffordshire, banker, May 5 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; May 12 at 10, div.—**George Friend**, Kidderminster, Worcestershire, bookseller, May 14 at 12, District Court of Bankruptcy, Birmingham, div.—**Robert Blackford**, Swindon, Wiltshire, butcher, May 15 at half-past 11, District Court of Bankruptcy, Bristol, fin. div.—**Charles Gough**, Altrincham, Cheshire, ironmonger, May 15 at 12, District Court of Bankruptcy, Manchester, div.—**Dominique Frick Albert**, Manchester, dealer in mathematical instruments, May 15 at 12, District Court of Bankruptcy, Manchester, fin. div.—**John Swale Manby**, Burnley, Lancashire, ironmonger, May 16 at 11, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

David Douglas, Chorlton-upon-Medlock, Manchester, May 16 at 12, District Court of Bankruptcy, Manchester.—**Thos. Brighthouse**, Liverpool, contractor, May 14 at 11, District Court of Bankruptcy, Liverpool.—**Thomas Griffiths**, Dar-

laston, Staffordshire, stonemason, May 15 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Hardinge Veitch, Durham, printer.—**Jonas Clark**, Soham, Cambridgeshire, dealer in flour.

SCOTCH SEQUESTRATION.

John Marshall, Glasgow, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Moody, Scauby, near Brigg, Lincolnshire, miller, May 10 at 11, County Court of Lincolnshire, at Brigg.—**Elizabeth Fisher**, Westbromwich, Staffordshire, milliner, April 30 at 2, County Court of Staffordshire, at Oldbury.—**Benjamin Turner**, Westbromwich, Staffordshire, farmer, April 30 at 2, County Court of Staffordshire, at Oldbury.—**Sidney Braithwaite**, Smethwick, Harborne, Staffordshire, clerk to a railway contractor, April 30 at 2, County Court of Staffordshire, at Oldbury.—**Hen. Timothy Murrell**, Heigham, Norwich, Norfolk, law writer, May 10 at 10, County Court of Norfolk, at Norwich.—**Wm. Robinson**, Gainsborough, Lincolnshire, miller, May 12 at 9, County Court of Lincolnshire, at Gainsborough.—**John Edlington**, Bottesford, Lincolnshire, farmer, May 10 at 11, County Court of Lincolnshire, at Brigg.—**Amelia Varley**, widow, Cheetham, Manchester, haberdasher, May 2 at 1, County Court of Lancashire, at Manchester.—**James Layland**, Chorley, Lancashire, block cutter, May 16 at 10, County Court of Lancashire, at Chorley.—**Chas. Dancer**, Castle Donington, Leicestershire, baker, May 12 at 10, County Court of Leicestershire, at Loughborough.—**John Stokes**, Loughborough, Leicestershire, gardener, May 12 at 10, County Court of Leicestershire, at Loughborough.—**Geo. Willson**, Maidstone, Kent, carpenter, May 6 at 12, County Court of Kent, at Maidstone.—**Stephen Collins**, Limpenhoe, Norfolk, out of business, May 9 at 10, County Court of Norfolk, at Norwich.—**Deborah Crane**, Hoveton St. John, Norfolk, grocer, May 10 at 10, County Court of Norfolk, at Norwich.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 7 at 11, before the CHIEF COMMISSIONER.

John How, Sidney-st., Goswell-road, Middlesex, plumber.—**Henry Walden**, Morden-st., Greenwich, Kent, engineer.—**Geo. Hen. Calderwood**, Cleveland-st., Fitzroy-square, Middlesex, furniture dealer.—**J. Freeman Edwards**, Great Safron-hill, Holborn, Middlesex, smith.

May 7 at 10, before Mr. Commissioner LAW.

Charles Fisher, Belmont-terrace, Wandsworth-road, Surrey, oilman.—**Thomas Grainger**, Thavies-inn, Holborn, London, commission agent.

Saturday, April 19.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Emanuel Wm. Violet, Upper Stamford-st., Blackfriars-road, Surrey, attorney-at-law, No. 61,879 T.; **Samuel Parsley**, assignee.—**Moses Levy**, Camomile-st., Bishopsgate-st., London, furrier, No. 62,022 T.; **Henrich Meyer**, assignee.—**Edw. Russell**, Snaith, near Selby, Yorkshire, brewer, No. 73,155 C.; **George Gamwell**, assignee.—**William Eddins**, Birmingham, licensed victualler, No. 73,204 C.; **Thomas Wheeldon**, assignee.—**Thomas Kemp**, Birmingham, builder, No. 73,287 C.; **Wm. Franks Beale**, assignee.—**Charles Marsh**, Yarm, near Stokesley, Yorkshire, out of business, No. 73,385 C.; **Robert Kay**, assignee.—**A. Allen**, Chester, builder, No. 73,401 C.; **William Dewson**, assignee.

Saturday, April 19.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Lompech, Barbican, London, teacher of the French

language: in the Debtors Prison for London and Middlesex.—*Fred. C. M. Spearman*, Bennett-street, Stamford-street, Blackfriars-road, Surrey, auctioneer: in the Debtors Prison for London and Middlesex.—*Fred. J. Hazellon*, Salisbury-street, Portman-market, Middlesex, bookseller: in the Queen's Prison.—*Thomas Casey* the younger, New Buckingham-st., Buckingham-square, Dover-road, Southwark, Surrey, in no trade: in the Queen's Prison.—*Fraser P. Nicoll*, Park-road, Regent's-park, Middlesex, gentleman: in the Queen's Prison.—*Benjamin Bull*, Warwick-lane, London, bricklayer: in the Debtors Prison for London and Middlesex.—*Edw. Power* the younger, Manchester-street, Argyle-square, King's-cross, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*Wm. Robins* the younger, Plumstead, Kent, carpenter: in the Debtors Prison for London and Middlesex.—*Charles C. Hurry*, Sloane-street, Chelsea, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*John George Storie*, Peckham, Surrey, incumbent of St. Mary Magdalen, Peckham: in the Queen's Prison.—*James Edwards*, Baker-street, Portman-square, Middlesex, watch manufacturer: in the Debtors Prison for London and Middlesex.—*Jas. Newlove* the younger, Margate, Kent, assistant to a schoolmaster: in the Debtors Prison for London and Middlesex.—*Daniel Burchell*, Hadleigh, Essex, farmer: in the Gaol of Springfield.—*John Baker*, Harwich, Essex, ship and river surveyor: in the Gaol of Springfield.—*Robt. Gregory*, Hedworth-vale, near South Shields, Durham, builder: in the Gaol of Durham.—*John Masterman*, Liverpool, provision dealer: in the Gaol of Lancaster.—*Wm. Pass*, Altrincham, Cheshire, attorney-at-law: in the Gaol of Chester.—*John Beker*, Folkestone, Kent, victualler: in the Gaol of Dover.—*John Lewis*, Merthyr Tydfil, Glamorganshire, assistant to an ironmonger: in the Gaol of Cardiff.—*George Wilson*, Gravesend, Kent, surveyor: in the Gaol of Maidstone.—*C. Groves*, Birmingham, dealer in malt and hops: in the Gaol of Coventry.—*Thomas Hopper*, Biddenden, Kent, farmer: in the Gaol of Maidstone.—*Joseph A. Lee*, Northfleet, Kent, farmer: in the Gaol of Maidstone.—*Abel Andrew*, Ashton-under-Lyne, Lancashire, machine broker: in the Gaol of Lancaster.—*M. Bernsley*, Manchester, ale dealer: in the Gaol of Lancaster.—*Robert Bardsley*, Oldham, Lancashire, beerseller: in the Gaol of Lancaster.—*John Bannister*, Wigan, Lancashire, butcher: in the Gaol of Lancaster.—*Thomas Barrons*, Highweek, near Newton Abbott, Devonshire, mason: in the Gaol of St. Thomas the Apostle.—*J. Dobb*, Wigan, Lancashire, manufacturing chemist: in the Gaol of Lancaster.—*Robt. Ferguson*, Preston, Lancashire, engraver: in the Gaol of Lancaster.—*John Jones*, Liverpool, miller: in the Gaol of Lancaster.—*M. Lawless*, Liverpool, warehouseman: in the Gaol of Lancaster.—*John Marsland*, Hollinwood, near Oldham, Lancashire, agent for the sale of timber: in the Gaol of Lancaster.—*H. Massey*, Houghton, near Ashton-under-Lyne, Lancashire, butcher: in the Gaol of Lancaster.—*Haworth Maxwell*, Sabden-bridge, near Clitheroe, Lancashire, farmer: in the Gaol of Lancaster.—*Thos. Mawdaley*, Preston, Lancashire, joiner: in the Gaol of Lancaster.—*John Neems*, Stroud, Gloucestershire, farmer: in the Gaol of Gloucester.—*Rich. S. Roach*, Navestock, near Breatwood, Essex, in no trade: in the Gaol of Springfield.—*J. Slabb*, Newton Abbott, Woolborough, Devonshire, mason: in the Gaol of St. Thomas the Apostle.—*Richard Sharrock*, Walton-le-Dale, near Preston, Lancashire, farmer: in the Gaol of Lancaster.—*John Stone*, Manchester, licensed victualler: in the Gaol of Lancaster.—*Chas. Samson*, Liverpool, agent for the sale of ale and porter: in the Gaol of Lancaster.—*Matthew Wilkinson*, Lancashire-bridge, near Colne, Lancashire, shawl manufacturer: in the Gaol of Lancaster.

(On Creditor's Petition).

Joseph Everist, Welling, Kent, gentleman: in the Gaol of Maidstone.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 6 at 11, before the CHIEF COMMISSIONER.

Abraham Northern the elder, Brick-lane, Old-street, Middlesex, ward beadle of Farringdon Without.—*W. Hutchings*, John-st., East-lane, Walworth, Surrey, out of business.

May 7 at 10, before Mr. Commissioner LAW.

Wm. Micklefield, New Church-st., Lisson-grove, Padding-

ton, Middlesex, cheesemonger.—*Wm. Westley*, Bartlett's-buildings, Holborn, Middlesex, boot and shoe dealer.

May 8 at 11, before Mr. Commissioner PHILLIPS.

James Barber, Wine-office-court, Fleet-st., out of business.—*Alexander Russell*, Frant, Sussex, gardener.—*Gustavus W. Blanch*, Whitehead's-grove, Chelsea, Middlesex, out of business.

Adjourned.

May 7 at 10, before Mr. Commissioner LAW.

John Henry Doyle, Strand, Middlesex, parliamentary reporter.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, May 6.

Alexander Watson, Plumstead-road, Woolwich, in no business.—*R. Shadick*, Gravesend, currier.—*Francis Meillear*, Plumstead, near Woolwich, beerseller.—*Thomas Hopper*, Biddenden, farmer.—*Joseph A. Lee*, Northfleet, out of business.—*Richard John Smith*, Gravesend, auctioneer.

At the County Court of Essex, at CHELMSFORD, May 8.

Richard S. Roach, Navestock, near Brentwood, following no trade.—*Daniel Burchell*, Hadleigh, out of business.—*John Baker*, Harwich, out of business.

At the County Court of Staffordshire, at STAFFORD, May 6 at 10.

Francis Moore, Wolverhampton, in no business.—*John R. Morris*, Wolverhampton, butcher.

At the County Court of Cornwall, at BODMIN, May 7 at 10.

John Merifield, Gerrans, master mariner.

At the County Court of Kent, at DOVER, May 7 at 10.

John Baker, Folkestone, out of employment.

At the County Court of Denbighshire, at RUTHIN, May 1 at 11.

David Jones, Cerrigdruidion, labourer.

FRIDAY, APRIL 25.

BANKRUPTS.

RICHARD SILVER SMITH, Southsea, Portsea, Southampton, ironmonger, dealer and chapman, May 6 at 11, and June 5 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Hodgson, Birmingham; Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed April 14.

ADOLPHUS BLUMENTHAL, John-street, Crutchedfriars, London, wine merchant, May 5 at 1, and June 6 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Vallance, 12, Tokenhouse-yard.—Petition dated April 15.

CHARLES SNELLING, Gracechurch-street, London, hair dresser, perfumer, and hosier, dealer and chapman, May 19 at 1, and June 2 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Innis, 20, Billiter-street.—Petition dated April 23.

RICHARD BROWN, Old Broad-street, London, auctioneer, May 7 at half-past 12, and June 6 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Vincent & Randall, Castle-street, Holborn.—Petition filed April 12.

JOHN PEARSON, Kingswinford, Staffordshire, maltster, innkeeper, dealer and chapman, April 30 and May 28 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Boddington, Dudley.—Petition dated April 17.

ROBERT ALEXANDER, Maesteg, Glamorganshire, grocer and shopkeeper, dealer and chapman, May 7 and June 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Franklyn & Bevan, Bristol.—Petition filed April 11.

GEORGE SAYCE, Heywood, Lancashire, grocer, dealer and chapman, May 7 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Deardon, Manchester.—Petition filed April 10.

MARGARET MEIKLE, Liverpool, pawnbroker, dealer and chapman, May 14 and June 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Roby, Liverpool.—Petition filed April 23.

MEETINGS.

George Sanders Naish and *Thomas Jukson Gennie*, Far-
rington-street, Snow-hill, London, general ironmongers, May
7 at 2, Court of Bankruptcy, London, pr. d.—*John Smith*,
Victoria-street, Islington, Middlesex, builder, May 9 at half-
past 11, Court of Bankruptcy, London, last ex.—*James Binion*
Cooper and *George Binion Cooper*, Drury-lane, Middlesex,
ironfounders, May 7 at 12, Court of Bankruptcy, London,
and. ac.—*Thos. Bradley*, Ranelagh-road, Pimlico, Middlesex,
lard refiner, May 9 at 1, Court of Bankruptcy, London, and.
ac.; May 16 at 1, div.—*Alexander Augustus Mackey* and
Nathaniel James White Holt, St. Helen's-place, Bishopsgate-
street, London, merchants, May 9 at 12, Court of Bankruptcy,
London, and. ac.; May 16 at half-past 12, div.—*George*
Melville Horton, Hatton-garden, Middlesex, jeweller, May 9
at 11, Court of Bankruptcy, London, and. ac.; May 16 at
11, div.—*John Sharples* the elder and *John Sharples* the
younger, Daisyfield, near Blackburn, Lancashire, cotton spin-
ners, May 9 at 11, District Court of Bankruptcy, Manchester,
and. ac.; May 16 at 11, fin. div.—*Francis Kindon*, Manches-
ter, draper, May 8 at 12, District Court of Bankruptcy,
Manchester, and. ac.—*Charles Gough*, Altrincham, Cheshire,
ironmonger, May 8 at 12, District Court of Bankruptcy,
Manchester, and. ac.—*John Barker*, Manchester and Salford,
Lancashire, victualler, May 8 at 11, District Court of
Bankruptcy, Manchester, and. ac.—*John Swale Manby*,
Burnley, Lancashire, ironmonger, May 15 at 11, District
Court of Bankruptcy, Manchester, and. ac.—*William Smith*,
South Stockton, Yorkshire, ship builder, May 8 at 11,
District Court of Bankruptcy, Leeds, and. ac.—*Joshua*
Uwain, Bradford, Yorkshire, stuff manufacturer, May 8 at 11,
District Court of Bankruptcy, Leeds, and. ac.—*Augustus*
Keapel Holman, Wortley, Leeds, Yorkshire, cloth manufac-
turer, May 8 at 11, District Court of Bankruptcy, Leeds,
and. ac.—*Peter Roberts*, Birmingham, builder, May 7 at 12,
District Court of Bankruptcy, Birmingham, and. ac.—*George*
Friend, Kidderminster, Worcestershire, bookseller, May 13 at
12, District Court of Bankruptcy, Birmingham, and. ac.—
Jos. Sandell Welch, St. James-st., Westminster, Middlesex,
printseller, May 16 at 1, Court of Bankruptcy, London, div.—
John Hudson Theobald, Colchester, Essex, and *Jabez*
Church, Deptford, Kent, coke manufacturers, May 16 at
11, Court of Bankruptcy, London, fin. div. sep. est. of *Jabez*
Church.—*Thomas Brettell*, Rupert-street, Haymarket,
Middlesex, printer, May 16 at 12, Court of Bankruptcy,
London, div.—*Henry Roster Biggs*, Brewer-street, Golden-
square, Middlesex, carpenter, May 16 at half-past 12, Court
of Bankruptcy, London, div.—*Samuel Benton*, Fore-street,
London, linendraper, May 16 at half-past 11, Court of Bank-
ruptcy, London, div.—*Henry Wm. Hemswoorth*, Primrose-
st., Bishopsgate-st., London, wine merchant, May 13 at 11,
Court of Bankruptcy, London, fin. div.—*Edward Emmerton*,
Woburn Sands, Wavendon, Buckinghamshire, innkeeper,
May 17 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

*To be allowed, unless Cause be shewn to the contrary on or
before the Day of Meeting.*

James Henry Lemere, Maldon, Essex, draper, May 16 at
1, Court of Bankruptcy, London.—*Samuel Knightly*, Paul-
st., Finsbury, Middlesex, carpenter, May 17 at 11, Court of
Bankruptcy, London.—*Edward Emmerton*, Woburn Sands,
Wavendon, Buckinghamshire, innkeeper, May 17 at 12, Court
of Bankruptcy, London.—*Peter Van den Ende*, Strood, near
Rochester, Kent, woolstapler, May 16 at 11, Court of Bank-
ruptcy, London.—*William Shaw* and *Samuel Shaw*, Upper
Mill and Grasscroft within Saddleworth, Yorkshire, timber
merchants, May 19 at 12, District Court of Bankruptcy,
Manchester.

To be granted, unless an Appeal be duly entered.

George Thomas Rollason and *George James Rollason*,
Birmingham, brass founders.

SCOTCH SEQUESTRATIONS.

Johnston Thomson, Glasgow, spirit dealer.—*Wilson &*
Martin, Edinburgh, merchants.—*James Barrowman* and
George Barrowman, Airdrie and Whyfflat, coal and ironstone
contractors.

INSOLVENT DEBTORS

*Who have filed their Petitions in the Court of Bankruptcy,
and have obtained an Interim Order for Protection from
Process.*

Wm. Maden, Wolverhampton, Staffordshire, wheelwright,
May 3 at 12, County Court of Staffordshire, at Wolver-
hampton.—*William Toose*, Holcombe Rogers, Devonshire,
farmer, May 8 at 2, County Court of Somersetshire, at Wel-
lington.—*Frederick Lees*, Wheeler's Fold, Wolverhampton,
Staffordshire, warehouseman, May 3 at 12, County Court of
Staffordshire, at Wolverhampton.—*John Restall*, Harting
Comb, Rogate, Sussex, out of business, May 15 at 12, County
Court of Sussex, at Midhurst.—*Wm. Johnson*, Gravesend,
Kent, brewer, May 10 at 10, County Court of Kent, at
Gravesend.—*Edward Mudd*, Bradford, Yorkshire, out of
business, May 20 at 11, County Court of Yorkshire, at Brad-
ford.—*Samuel Wright*, Sedgley, Staffordshire, in no business,
May 2 at 12, County Court of Worcestershire, at Dudley.—
Charles E. Holwell, Swallow, Lincolnshire, farmer, May 15
at 9, County Court of Lincolnshire, at Caistor.—*T. Pomeroy*,
Quethlock, Cornwall, miller, May 22 at 11, County Court of
Devonshire, at East Stonehouse.—*P. Screech*, Devonport,
Devonshire, butcher, May 22 at 11, County Court of Devons-
hire, at East Stonehouse.—*Henry James Lester*, Preston,
Staffordshire, out of business, May 3 at 12, County Court of
Staffordshire, at Wolverhampton.—*George Cooper*, North-
wamborough, Odiham, Southampton, out of business, May
13 at 10, County Court of Hampshire, at Basingstoke.—*E.*
Phillips, Aston, near Birmingham, florist, May 17 at 11,
County Court of Warwickshire, at Birmingham.—*J. Hale*,
Whetstone, Leicestershire, blacksmith, May 14 at 10, County
Court of Leicestershire, at Leicester.—*Stephen Holland*,
Wettenhall, Cheshire, dealer in pigs, April 29 at 11, County
Court of Cheshire, at Nantwich.—*John Gilling*, Leicester,
saddler, May 14 at 10, County Court of Leicestershire, at
Leicester.—*William Murdin*, Glenn Magna, Leicestershire,
domestic servant, May 14 at 10, County Court of Leicesters-
hire, at Leicester.—*George Wood*, Wolverhampton, Staffor-
dshire, out of business, May 3 at 12, County Court of Staffor-
dshire, at Wolverhampton.—*Edward Jones*, Portobello, near
Willenhall, Staffordshire, miner, May 3 at 12, County Court
of Staffordshire, at Wolverhampton.—*Joseph Cox*, Bristol,
lodging-house keeper, May 7 at 10, County Court of Glos-
cestershire, at Bristol.

*The following Persons, who, on their several Petitions filed in
the Court, have obtained Interim Orders for Protection
from Process, are required to appear in Court as hereinafter
mentioned, at the Court-house, in Portugal-street, Lin-
coln's Inn, as follows, to be examined and dealt with
according to the Statute:—*

May 10 at 11, before Mr. Commissioner PHILLIPS.

Wm. How, Mordan-street, Greenwich, Kent, labourer.—
Edw. Weedon, Old Chapel-road, Kentish-town, Middlesex,
out of business.

May 12 at 10, before Mr. Commissioner LAW.

Henry Jones, Great Mitchell-street, St. Luke's, Middlesex,
manufacturer of wood dolls.

Wednesday, April 23.

*Orders have been made, vesting in the Provisional Assignee
the Estates and Effects of the following Persons:—*

(On their own Petitions).

Thomas Fry, Trafalgar-street, Walworth, Surrey, milkman:
in the Gaol of Horsemonger-lane.—*Geo. Monk*, Creek-bridge-
road, Kent, painter: in the Queen's Prison.—*F. J. Z. Volant*,
Leicester-square: in the Debtors Prison for London and Mid-
dlesex.—*Norris Putnam*, Walthamstow, Essex, watchmaker:
in the Debtors Prison for London and Middlesex.—*Lewis*
Dunbar, North-st., Kennington-road, Surrey, out of business:
in the Queen's Prison.—*R. M. Bowman*, Belinda-terrace,
Canonbury-square, Islington, Middlesex, wine broker: in the
Debtors Prison for London and Middlesex.—*Robt. Edward*,
Chester-terrace, Borough-road, Southwark, Surrey, tailor: in
the Gaol of Horsemonger-lane.

*The following Prisoners are ordered to be brought up before
the Court, in Portugal-street, to be examined and dealt
with according to the Statute:—*

May 9 at 11, before the CHIEF COMMISSIONER.

Charles Collingridge, Culivane-terrace, St. John's-wood,

Middlesex, solicitor's clerk.—*F. C. M. Spearman*, Bennett-street, Stamford-street, Blackfriars-road, Surrey, out of business.—*Joseph Clarkson*, Cheltenham-place, Westminster-road, Lambeth, Surrey, commission agent.

May 9 at 10, before Mr. Commissioner LAW.

Wm. Hutchison, Acree-lane, Brixton, Surrey, grocer.—*B. Britnell*, Exmouth-street, Clerkenwell, Middlesex, cheesemonger.—*Benj. Bull*, Warwick-lane, City, bricklayer.

May 10 at 10, before Mr. Commissioner LAW.

Charles Brereton, High-st., Barnet, Middlesex, tailor.—*Wm. Atkins*, Edgeware, Middlesex, cattle salesman.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Robert Wright, Wigan, out of employment, No. 73,500; *Thomas Morris*, assignee.—*Thomas Dalton*, Salford, joiner, No. 73,399; *John M. Bennett*, assignee.—*Henry B. Leech*, Manchester, out of business, No. 73,520; *W. Bloor*, assignee.—*John E. Cookson*, Manchester, out of business, No. 73,518; *Wm. Bloor*, assignee.—*Joseph Broker*, Choubent, flymaker, No. 73,561; *George Heskeith* and *Thomas Sawdon*, assignees.—*John A. Jackson*, Manchester, out of business, No. 73,588; *James Barlow* the younger, assignee.—*James Smith*, Lancaster, out of business, No. 73,555; *C. Bullen*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, May 9 at 11.

John Masterman, Liverpool, out of business.—*Wm. Hayes*, Liverpool, provision dealer.—*Aquila Taylor*, Bolton-le-Moors, cotton waste dealer.—*Matthew Wilkinson*, Lanesaw-bridge, near Colne, out of business.—*John Jones*, Liverpool, out of business.—*Thomas Jones*, Hulme, Manchester, out of business.—*Charles Mosley*, Manchester, joiner.—*J. Sladdon*, Preston, out of business.—*Henry Hilton*, Birkenhead, near Liverpool, out of business.—*Matthew Bramwell*, Ashton-under-Lyne, out of business.—*Micah Barnsley*, Manchester, out of business.—*Peter Jameson*, Staleybridge, tailor.—*Sarah Ann Fowler*, Manchester, out of business.—*R. Ferguson*, Preston, engraver.—*A. Andrew*, Ashton-under-Lyne, machine broker.—*John Bustard*, Hulme, Manchester, bricklayer.—*John Banister*, Wigan, fish dealer.—*Chas. Samson*, Liverpool, dealer in ale.—*Richard Sharrock*, Walton-le-Dale, out of business.—*John Stone*, Manchester, licensed victualler.—*J. Widdall*, Bolton-le-Moors, out of business.—*John Dobb*, Wigan, manufacturing chemist.—*Matthew Lawless*, Liverpool, warehouseman.—*Henry Owen*, Liverpool, out of employment.—*John Lever*, Manchester, draper.—*Joseph Pearson*, Staleybridge, grocer.—*William Whyte*, Standish, near Wigan, coal proprietor.—*Robert Bardsley*, Oldham, beer-seller.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, May 9.

Joshua Steward, Starston, farming bailiff.—*John Wragg*, Great Yarmouth, carpenter.

At the County Court of Leicestershire, at LEICESTER, May 14 at 10.

William Beavington the younger, Ashby-de-la-Zouch, chemist.

At the County Court of Somersetshire, at TAUNTON, May 9 at 9.

Wm. Pinch, Bath, architect.

At the County Court of Worcestershire, at WORCESTER, May 14 at 10.

Charles Gray, Dudley, auctioneer.

At the County Court of Glamorganshire, at CARDIFF.

John Lewis, Merthyr Tydfil, assistant to an ironmonger.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—*Henry Collicott*, of Dudley, Worcestershire, in and for the county of Worcester, also in and for the counties of Warwick and Stafford; *Henry Wilcocks Hooper*, of the city of Exeter, in and for the city and county of the city of Exeter, also in and for the county of Devon.

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LONDON, MAY 3, 1851.

THERE are three cases, one reported in the first volume of *Macnaghten & Gordon*, and the other two in *THE JURIST*, (*The London and North-western Railway Company v. Smith*, 1 Mac. & G. 216; *The East and West India Docks, &c. Company v. Gatliffe*, 15 Jur., part 1, p. 261; and *The South Staffordshire Railway Company v. Hall*, Id. 322), which are so far in conflict as to leave the question involved in them in a considerable degree of doubt. For though there are two decisions of Lord Truro, C., and Lord Cranworth, V. C., against the preceding one of Lord Cottenham, yet the authority of the two later cases is much weakened by this—that while Lord Truro appears to rely, to a great extent, on a distinction between the case before him and that before Lord Cottenham, Lord Cranworth, V. C., denies, or at least doubts, the validity of the distinction, and at the same time decides against Lord Cottenham on the authority of the case before Lord Truro. So that it may be assumed, that, but for the distinction taken by Lord Truro, he would have followed Lord Cottenham; and that but for Lord Truro's decision, which, if Lord Cranworth, V. C., is right about the invalidity of the distinction, would never have been made, the Vice-Chancellor would have felt himself bound to follow Lord Cottenham. In this state of the authorities they cannot be said to afford a very certain guide, and all that is left for the lawyer is to endeavour to ascertain which of the decisions is most consistent with principle.

Lord Cottenham, in *The London and North-western Railway Company v. Smith*, proceeds upon this ground—that if the parties are to be permitted to go on under the 68th section of the Lands Clauses Consolidation Act, then the only courses that are open are these—either the company must go before a jury, allow that jury to settle the damages, and then resist payment of the amount so settled; or the company must make default in calling a jury, and then let the party bring his action; and of this second course of proceeding his Lordship observes that the result of it is, that the company is to be fixed with the whole sum claimed, which

they cannot get afterwards repaid; the only escape from which, his Lordship continues, is for the company to take the first course, and have damages assessed, which it may turn out ought never to have been assessed at all, because the claimant has no title to any damages.

His Lordship therefore granted an injunction where he thought the legal title to claim any damage was so far subject to doubt, as to make it very possible that the result of an action would shew that there was no ground for inquiring into the amount of damage. This reasoning appears to us to be unanswerable, at least in reference to any case where the company resist the claim on the twofold ground, first, that there is no title at all in the claimant; secondly, that if there is, he is wrong in the amount of damages claimed. For if the 68th section of the Lands Clauses Consolidation Act be examined, it will be seen that though the *title* of the claimant to receive any compensation, can be tried in an action brought by the claimant against the company making default, as pointed out by Lord Cranworth, V. C., in the case before him, yet that would be the only question of substance that could be tried in such action: as to the *amount*, if the plaintiff has *any title*, the company would be concluded by force of the statute, and would be liable to pay the amount claimed. The remedy provided by the statute for the company, by making default, and leaving the claimant to bring his action, applies therefore only to the case where the title alone is disputed, and the amount of damage, as a fact, is admitted. This is, indeed, admitted by Lord Cranworth, V. C., when he says, "Where the company dispute both the right of the party to recover any damages, and the amount claimed, the only course given by the statute is to proceed to summon the jury; and then, supposing the jury to assess some amount of damage as due, to refuse payment of the sum assessed, leaving the party to recover it by action; in such an action the claimant would be obliged to aver that he had sustained damage within the meaning of the statute; this averment would be traversed, and so the question of right would be determined."

Now, if this is the true construction of the act of Parliament, is it not rather to be inferred that the intention of the Legislature was, that the powers given by the act should be exercised only when they are certain not to be uselessly called into operation, than that they should be called into operation when it may turn out, by subsequent inquiry before a proper tribunal, that there never was any ground for calling them into activity at all? Is it not quite plain that the Legislature never could have intended that a jury should assess damages, except upon the assumption that there is a title to some damages? And what ground is there for contending that the Legislature intended to compel a company either to incur the delay, and perhaps irrecoverable expense, of assessing damages, which, if they are right in their contention that there is no title at all, ought never to have been incurred; or else to give up their defence as to the amount of damages, and submit to a course by which the title only can be tried? We submit that what is to be collected from Lord Cottenham's judgment is not the general proposition, that the Court will prevent a party from asserting his legal rights in the mode prescribed by law, but only that when the Court sees that a particular course of proceeding, which a party is *empowered* to take, may work injustice, it will interfere and prevent that particular course from being taken, providing for his obtaining his legal rights, if they exist, through the ordinary tribunals.

The result of the three cases to which we have referred appears to us to be this—that where the company contests both the title to any compensation at all, and the amount claimed, if a title is established, Lord Cottenham's decision will govern the case; and that the Court will not suffer the landowner to proceed under the act until he has first established his legal title, assuming, of course, that a reasonable doubt is shewn of the existence of such title. That, on the other hand, where the company contests only the title, but admits the correctness of the amount claimed, if the landowner establishes his title to any amount, then the Court will adopt the principle of the cases before Lord Truro and Lord Cranworth, because there the act affords the direct means of trying all that there is to be tried.

WINDING-UP ACTS.—WHO ARE OR OUGHT TO BE CONTRIBUTORIES?

THE amount of liability to contribution inter se of managing committeemen, of provisional committeemen, and of allottees of shares in a provisionally registered company (that is, where a party of men have combined together and held meetings for the purpose of bringing before Parliament a bill for the construction of a proposed railway) is a subject of interest to thousands, and questions arising out of that liability have engrossed a great deal of the time of Courts of law and equity. It is clear that this is the result of new and complicated interests, having arisen from new and hitherto unknown schemes, to which the application of the law of partnership as it formerly stood is at least uncertain, if not impossible. Different are the views taken of the moral, of the equitable, and of the legal liabilities of parties concerned in abortive railway schemes, and the Courts of law and equity have given colour, though in varied hues, to the diversity of opinions floating in the minds of the judges and of the public. But let us look into the history of these schemes from their commencement, and one intelligible principle seems to be eliminated—that individual and not public advantage was the cause—the origin—of every bubble which eager thousands in the speculative year '45 pursued. A man sitting in a tavern, with a map of a county before

him, draws a red line from point A. to point B.; he writes to his friend Mr. C., (the county member), and tells him that the establishment of a railway communication between the towns represented by points A. and B. will be a great national advantage; he addresses letters to all persons of weight in the county, and writes down the names of engineers and solicitors, (if he be not one himself), and nominates a secretary and promoters of his proposed scheme. The prospect of advantage, "the potentiality of realising the dreams of avarice," as Dr. Johnson says, is held out to all—to this man, of selling an useless portion of his estate at an enormous price; to another, of the advantageous sale of the shares when allotted; to a third, the value of the shares as an investment, or of the income which a proposed committeeman may hope to derive as future director of the company; and to the producer, the luring prospect of an advance in the price of produce in consequence of the facilities of communication. Moved by one or other or all of these considerations, a list of names is made out of those willing to promote the scheme; they are then weighed and divided—the heavier are classed as members of the managing committee, and the lighter, though more numerous, become the provisional committee. Prospectuses are published and advertisements issued; the managing and provisional committees have the command (in consideration of their names being on the list) of a large number of shares, with which they might pour favour on their friends, who, in the palmy days of railway schemes, at once realised a large profit by the sale of their letter of allotment to the less-favoured public. "But next day came a frost"—letters of allotment were unsaleable—provisional committeemen, so lately patrons, became refugees, and "sauve qui peut" was the order of the day.

In the meantime the company had been registered under the 7 & 8 Vict. c. 110. They had, under the provisions and authority of that act, assumed a name, opened subscription lists, allotted shares, received deposits at the rate specified in the act, complied with the standing orders of the Houses of Parliament, and although they were forbidden "to make calls, or to purchase, contract for, or hold lands, or to enter into any contract for any services, or for the execution of any works, or for the supply of any stores," they were not by the statute prohibited from entering into, "first, contracts for such services or stores or other things as were necessarily required for establishing the company; or, secondly, from any purchase or contract to be made conditionally on the completion of the company; or, thirdly, from contracts for making surveys and performing all such other acts as were necessary for obtaining the sanction of Parliament, by legislative enactment, to the formation of the railway."

Great expenses were incurred and a large outlay made under the authority or supposed authority of the last-mentioned act, (23rd section); and now the question arises, who is to bear the expenses and outlay so incurred. All naturally try to avoid it, and the duty of the law is to place the burthen on the right shoulders. Can it be denied that common sense would at once say, "Let those who would have profited by a successful issue of the scheme bear the costs of its failure?" If the scheme had prospered—if the crisis of '45 had not come on—if railway schemes, however insane, had flourished, and the iron age of expectation had been converted into the golden one of fruition, what would have been the position of each member of the managing and provisional committees? Each would have reaped a benefit in proportion to the number of shares to which his position or his spirit of adventure had entitled him. By what, then, is the moral liability to be measured? Is the chance of gain

not to be the measure of the risk of loss? If not, what other standard can be established?

It has been said, and probably with truth, that some innocent persons (that is, innocent of the hope of gain) permitted their names to be inserted on the list of provisional committeemen as patrons merely of the scheme; but this cannot apply to those who have applied for shares—the idea of innocence of gain is at once dispelled by such an application. This principle seems clearly to be laid down by the judgment given in a late case of *Hutton v. Upfill*, in the House of Lords; but there is a sentence in that judgment which has given rise to much comment. The sentence is as follows:—"It is very possible that no profit might result to him during the interval between the two letters of the 14th and 18th, or rather the delivery of that third letter; but if any gain had been made he would have had his share, and he could not withdraw at his option from the liability which holding this beneficial chance of profit imposed." An eminent judge, indeed, tells us that he has perused the preceding paragraph "with respectful amazement." But if it be considered only as a repetition of the principle already enunciated, there is no reason why the judicial hair should stand on end. Can it be that the learned judge's remark arose from his estimation of the value of the letter of allotment? Can it be that he has remarked the shadow, but refused to see the substance, of the passage quoted? What matters it whether the possibility of gain be more or less remote? It may, indeed, be altogether chimerical, but the paragraph in question, as it appears to us, calls for the expression neither of respectful nor disrespectful amazement. Since the decision of that case of *Hutton v. Upfill*, however, the present Lord Chancellor, in the argument in *Bealey's case*, in which he overruled the decision of Lord Cottenham, (applying a portion of the judgment of the Barons of the Exchequer in *Reynell v. Hopkins*, 5 Railw. Cas. 376), likened the assent of a person to his name being inserted in the list of provisional committeemen to that of a person allowing his name to be placed on the list of patrons for the erection of a hospital, and inquired whether, in that case, he could be held liable to contribute to the purchase money of land bought for the site of the building by a committee of management. But with the most profound respect for those learned judges, there seems a patent distinction between the two cases. In the one, the inducing motive is the love of gain; in the other, charity, without a possibility of gain. The one may properly be called a trading company; the other a purely philanthropic institution. In the one, there is an act of Parliament giving powers, but prescribing certain limits to those powers; in the other, there is no question of an act of Parliament either for the purposes of registration or incorporation.

But to return to the general question. Every member of the provisionally registered company must at least have known the object of the company in which he had applied for shares, and in the same manner he must be presumed to know the purposes to which the deposit authorised to be called for by the act was applicable. If twenty men join together, and fit out a ship in order to establish a mining concern in California, and send out in the ship the machinery and apparatus necessary for completing their establishment, if the profits of the works, when established, be divided into shares between the twenty promoters, would not each and every of them be liable to contribute to the loss if the ship foundered before arriving at her destination? They must be supposed liable to the loss, which, according to every principle of law and equity, must be presumed to attach to all those who might derive profit from their connexion with the proposed undertaking. In what manner can any substantial distinction be taken between this case and that of launching

a project, equally requiring a certain outlay, which is intended to establish the formation of a railway?

The next question is, how stands at present the legal liability of persons who have consented to act as provisional committeemen, and have taken and accepted shares in the concern? The House of Lords, in the case referred to of *Hutton v. Upfill*, has decided, that when a man has allowed his name to be put on the list of provisional committeemen, and has accepted shares in that character, he is a contributory—that is, he is liable to bear his proportion of the expenses incurred in promoting the scheme, in common with those who are similarly circumstanced with himself. The decisions of the judges at common law, and the spirit of the decisions of Courts of equity, seem at variance with the expressed opinion of the House of Lords in this case. It has been said that a decision of the House of Lords has decided, that a provisional committeeman without shares is not liable; and it has been decided at law, that an allottee of shares without the distinction of being a member of the provisional committee is not liable; (*Ashpiter v. Sercombe*, 6 Railw. Cas. 224); how, then, can the two characters, neither of which alone could make a man liable, when combined in one person render him so?—If the latter case had been so decided by the highest tribunal, it would, indeed, be difficult to reconcile these two positions; but the difficulty is removed if the House of Lords, consistently with its former decision, decides that an allottee of shares, to the extent of his proportion of the stock taken, is liable to the expenses authorised by the Registration Act.

It has already been admitted, that the person who fills the simple character of provisional committeeman, and takes no share in the concern, and cannot derive gain, may be considered as a mere patron of the undertaking; but the allottee of shares stands on a very different footing. Before the Act of Registration, there being no recognised company or partnership, it may be true that he acquired no legal interest in the undertaking—nothing that could be legally called a share; but by that legislative enactment a new law of partnership was created, and he acquired an inchoate legal right to a share, and the deposits paid by him in respect of that share became applicable to certain purposes, viz. to meet the requisitions of the Standing Orders of Parliament, and to the expenses of all those proceedings authorised by the Registration Act. It will hardly be contended that any subscriber for shares would have had his action against the committee or the quasi company for his deposit, so long as the object was in progress. How, then, can he, when the object fails, have his remedy against the committee in respect of expenses which he knew that the person to whom he had entrusted his monies was authorised by act of Parliament to incur on his behalf, and had actually incurred with his knowledge, in order to give him the substance of the shares for which he had applied?

There are cases in which, under the operation of the Winding-up Acts, a large surplus of the assets of the company will remain to be divided among the contributors; yet, as the decisions at present stand, the simple allottee would be excluded from any such distribution. As he cannot be subject to liabilities, so he cannot derive benefit from the Winding-up Acts, the sole object of those acts being to settle the rights of the contributors inter se; yet the assets of the company may be in part or wholly composed of the very contributions made by the excluded class for the avowed objects of the company.

In considering the question of liability to contribution of the several members of a projected company inter se, it would appear that the principle which governs questions of liability of the associated members to persons, for work and labour done on account of the

company, is needlessly imported. The right of creditors against the person who gave the order remains the same, and no change has been effected in the old law by the new acts, which were solely intended to affect the internal relationship of members of companies or partnerships for one common good. Why have the Courts of equity, in deciding cases of contribution, been influenced in their decisions by the judgments of the Court of Exchequer in actions brought by creditors against a member of the provisional committee of an abortive scheme? The Courts of law had nothing to do with the Registration Act or the Winding-up Acts; they had only to decide the simple questions, whether the defendant was fixed with a liability to the plaintiff upon a contract expressed or implied, and whether such contract was made by the defendant himself or his agent. They did not deal with the question of right to contribution, which the acts already referred to were intended to regulate. But when the rights of members inter se come to be considered, they appear to be irrespective of the liability to third parties, and the new laws of partnership which arise from the Registration Act would then most properly attach.

It would be right that the judges, in deciding these cases, should also consider the novelty of the objects for which these schemes were projected, and that, although the enterprise was the subject of individual speculation, its completion was a matter of public and almost national benefit. The powers given by act of Parliament to approved schemes must in some measure indicate the license which the Legislature was willing to extend to inchoate ones. New interests have been created, old rights of property have been invaded, the owner has been driven from his hearth, and the population of neighbouring towns has migrated to the terminus of the railway station.

Again: it may fairly be presumed that persons would not have been induced to promote these vast and important changes, if it had been supposed that the enormous outlays in procuring an act were to be borne, if it failed, by the individuals who directed the proceedings necessary for that object. There is no doubt that if provisional committeemen were in some instances unconscious of the risk of loss, the promoters and directors have been in every case misled, by their legal advisers, into the belief that they were only to bear a proportionate part of the expenses incurred for a common benefit.

The act 7 & 8 Vict. c. 111, (the Joint-stock Companies Winding-up Act), sect. 22, recites, that "whereas the law is defective in the means of making the members of joint-stock companies contributories for paying their debts in full, and in the means of giving relief where execution may have been had in respect of a debt due from any such company, and also in the means of adjusting the rights of the members of any such company among themselves, and finally winding up such companies," &c.; from which it is clear that the Legislature contemplated a change in the strict rules of partnership by the introduction of the Registration Act and the Winding-up Acts.

It has been much debated whether railway schemes provisionally registered were or were not within the Winding-up Acts; but the act of the 7 & 8 Vict. clearly included provisionally registered companies within its scope as companies or quasi partnerships, and this was followed by the 9 & 10 Vict. and the Winding-up Acts of 1848 and 1849, which may be considered the machinery for carrying the Registration Act into execution. It is now settled law, by the decisions in *Es parte Morrison* (5 Railw. Cas. 224) and *Es parte Barber*, (Id. 594), and the act which immediately followed the last-mentioned decision, that provisionally registered railway companies are within the scope of those acts, and orders have been made under them by the Courts of equity,

which leave the question of company or no company, partnership or no partnership, for the purposes of the acts, no longer arguable. The only question is, who are the members—a difficulty which seems to have arisen, in a great measure, from a distinct point having been imported into the discussion, viz. the liability to creditors. In all cases, therefore, in which the projecting body have been declared, by the order of the Court, to be a company within the meaning of the Winding-up Acts, is it not consistent with law and with equity that the list of contributories should be made up of those who, if the scheme had succeeded, would have in any manner derived a profit from it, and should not their amount of liability to contribution be proportioned to that chance of profit? If this be not the true test of liability, then declare that inchoate companies are not within these acts, overrule the decisions in virtue of which innumerable orders have been made, and tens of thousands of pounds uselessly expended, and leave the parties to those remedies at law which the Legislature have already declared to be "defective." There is no middle course—"Lex non recipit majus et minus."

London Gazette.

TUESDAY, APRIL 29.

BANKRUPTS.

FREDERICK SPENCER ADOLPHUS FRANCE, Lambeth-walk, Lambeth, Surrey, clothier, dealer and chapman, May 8 at 2, and June 5 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Stodart, Racquet-court, Fleet-street.—Petition filed April 26.

JOSEPH CHARLES RIDGE, Great St. Helen's, Bishopsgate, London, wine and spirit merchant, May 9 at 12, and June 13 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Jerwood, 17, Ely-place, Holborn.—Petition dated April 23.

CARSTEN HOLTHOUSE, Great Tower-street, London, sugar broker, sugar dealer, and wine merchant, May 9 at half-past 12, and June 13 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Hill & Mathews, 1, Bury-court, St. Mary Axe.—Petition dated April 26.

JOHN BULLOCK, Bristol, innholder, dealer and chapman, May 14 and June 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Barker, Bristol.—Petition filed April 9.

JAMES HILL, Saltaash, Cornwall, miller, dealer and chapman, May 22 and June 19 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Edmonds & Sons, Plymouth; Stogdon, Exeter.—Petition filed April 17.

JAMES TAYLOR, Bradford, Yorkshire, worsted spinner, dealer and chapman, May 20 and June 17 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Northwood, Bradford; Courtenay & Compton, Leeds.—Petition dated April 28.

JAMES SMITH, St. Martin, Lincoln, joiner, carpenter, and builder, dealer and chapman, May 21 and June 11 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Toynbee, Lincoln; Stamp, Hull; Scott & Tahourdin, Lincoln's-inn-fields, London.—Petition dated April 16.

JAMES EMERY, Preston, Lancashire, innkeeper and basket maker, May 9 and 29 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Blackburn, Preston.—Petition filed April 24.

MEETINGS.

Wm. C. Gareley, Chenies-place, Old-road, St. Pancras, Middlesex, builder, May 9 at half-past 1, Court of Bankruptcy, London, last ex.—*Alfred Moore*, South Wharf, South Wharf-road, Paddington, Middlesex, stone merchant, May 9 at 11, Court of Bankruptcy, London, last ex.—*A. Eve*, Charlotte-street, Fitzroy-sq., St. Pancras, Middlesex, turner, May 13 at 11, Court of Bankruptcy, London, last ex.—*R. Peacock*, Ladbroke-grove, Notting-hill, Middlesex, plumber, May 9 at 11, Court of Bankruptcy, London, last ex.—*C. Cooke*, Stafford, grocer and provision dealer, May 10 at half-past 10, District Court of Bankruptcy, Birmingham, last ex.—

Charles Mason, Manchester and Longsight, Lancashire, paper manufacturer, May 9 at 11, District Court of Bankruptcy, Manchester, sud. ac.—*Thomas Courtney* and *George Courtney*, Old Jewry, London, clothiers, May 20 at 12, Court of Bankruptcy, London, div. sep. est. of *George Courtney*.—*Thomas Douberry*, Brook-street, Holborn, Middlesex, shoe factor, May 20 at half-past 12, Court of Bankruptcy, London, div.—*Samuel Vines*, Crutched-friars, London, corn factor, May 20 at 1, Court of Bankruptcy, London, div.—*Samuel Handley*, Park-hill cottages, Shepherd's-lane, Brixton, Lambeth, Surrey, builder, May 20 at 1, Court of Bankruptcy, London, div.—*Mary Astle*, widow, *Joseph Thomas Astle*, *George Astle*, and *Charles Astle*, Coleman-st., London, bookbinders, May 19 at 11, Court of Bankruptcy, London, div.—*Henry Douglas Cooke*, Liverpool, dealer in paper hangings, May 22 at 11, District Court of Bankruptcy, Liverpool, div.—*John Walker* and *William Walker*, Birkenhead, Cheshire, joiners, May 22 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *William Walker*.—*Stephen Vertue*, Liverpool, merchant, May 19 at 11, District Court of Bankruptcy, Liverpool, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Charles Graham, New Oxford-st., Middlesex, hosier, May 22 at 11, Court of Bankruptcy, London.—*James C. Cochrane Miller*, Clifton-st., Finsbury, Middlesex, surgeon, May 22 at 12, Court of Bankruptcy, London.—*John Bernard Warcup*, Broadway, Deptford, Kent, ironmonger, May 22 at 1, Court of Bankruptcy, London.—*William Weiler*, Crutched-friars, London, merchant, May 17 at 1, Court of Bankruptcy, London.—*Thos. Dean*, Seacombe, Cheshire, chemist, May 23 at 11, District Court of Bankruptcy, Liverpool.—*Geo. Parker*, Coventry, Warwickshire, carpenter, May 26 at half-past 10, District Court of Bankruptcy, Birmingham.—*Thos. Walker*, Barrowby Lodge, near Grantham, Lincolnshire, horse dealer, May 23 at half-past 12, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

John Dawson, Northfleet, Kent; Mitre-court, Temple; and Clement's-lane, London, shipowner.—*Abraham Friedberg*, Houndsditch, London, furrier.—*George May*, Cursitor-st., Chancery-lane, London, builder.—*Thomas Edwards*, Newport, Monmouthshire, iron founder.—*John Wilson*, St. Helen's, Lancashire, manufacturing chemist.—*J. Dale Harwood*, Liverpool, ironmonger.—*G. Woods*, Liverpool, surgeon.—*Peter J. Kirby*, Newgate-st., London, pin manufacturer.

SCOTCH SEQUESTRATIONS.

Joseph Stevenson, Banff, builder.—*M' Corkle & Co.*, Glasgow, rope manufacturers.—*James Gilmour*, Auchtermuchty, draper.—*James Boswell*, Barrhill, Cumnock, grain dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Newland, Sheffield, Yorkshire, shopman to a hatter, May 7 at 12, County Court of Yorkshire, at Sheffield.—*Richard Sneeby*, Sheffield, Yorkshire, butcher, May 7 at 12, County Court of Yorkshire, at Sheffield.—*John Hinde Durham Bourchier Bowker*, Modbury, Devonshire, gentleman, May 22 at 11, County Court of Devonshire, at East Stonehouse.—*Thos. Standing*, Manchester, cotton warp beamer, May 2 at 1, County Court of Lancashire, at Manchester.—*Peter Sanders*, Plymouth, Devonshire, baker, May 22 at 11, County Court of Devonshire, at East Stonehouse.—*Evan Lloyd*, South Pansalt, Carnarvonshire, sheep and cattle merchant, May 19 at 10, County Court of Carnarvonshire, at Carnarvon.—*Stephen Lampard*, Chatham, Kent, coffee-house keeper, May 8 at 10, County Court of Kent, at Rochester.—*Jas. Archer*, Sidmonton, Southampton, farmer, May 14 at 10, County Court of Berkshire, at Newbury.—*Thomas Garmeson Bradbury*, Dawley, Shropshire, chemist, May 17 at 10, County Court of Shropshire, at Madeley.—*Reuben Davis*, Tewkesbury, Gloucestershire, butcher, May 15 at 10, County Court of Gloucestershire, at Tewkesbury.—*Charles Hunt*, Chatham, Kent, out of business, May 8 at 10, County Court of Kent, at Rochester.—*Israel Abel Lillycrop*, Bridgwater, Somersetshire, shipowner, May 7 at 10, County Court of Somersetshire, at Bridgwater.—*Isaac Hammond*, Marlborough, Wiltshire, coachman, May 13 at 12, County Court of Wiltshire, at Marl-

borough.—*Thomas Baker*, Fareham, Southampton, painter, May 17 at 11, County Court of Hampshire, at Portsmouth.—*Samuel Beard*, Wrockwardine, Shropshire, labourer, May 16 at 10, County Court of Shropshire, at Wellington.—*John Clelland*, East Rainton, near Houghton-le-Spring, Durham, publican, May 22 at 10, County Court of Durham, at Durham.—*William Mitchell*, Sowerby, Halifax, Yorkshire, farmer, May 30 at 10, County Court of Yorkshire, at Halifax.—*Joseph Preston*, Halifax, Yorkshire, labourer, May 13 at 10, County Court of Yorkshire, at Todmorden.—*George Chatton*, Gravesend, Kent, tailor, May 10 at 10, County Court of Kent, at Gravesend.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 14 at 11, before the CHIEF COMMISSIONER.

George Stone, Canton-place, South Lambeth, Surrey, out of business.—*Edward Staples*, Eastcott, near Pinner, Ruislip, Middlesex, farmer.

Saturday, April 26.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Spry, Liverpool-street, Battle-bridge, Middlesex, surgeon, No. 61,558 T.; *William Francis Morris*, assignee.—*Elisha Bennett*, Culmstock-place, Bridge-road, Battersea, Surrey, butcher, No. 62,100 T.; *Henry Martin*, assignee.—*Thomas Dare*, Exeter, victualler, No. 73,424 C.; *Thomas Hichens*, assignee.—*William Douglas Fewster*, Theddingworth, Leicestershire, inspector upon the Rugby and Stamford Railway, No. 72,887 C.; *Edmund Lovell*, assignee.—*Thomas Dalton*, Salford, Lancashire, joiner, No. 73,399 C.; *John Marsland Bennett*, assignee.—*Nathaniel Nicholls White*, Tottenham, Middlesex, tallowchandler, No. 42,883 T.; *Isaac Carr*, new assignee, in room of *Stephen Wildman Cattley*, deceased.

Saturday, April 26.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George Monk, Creek-bridge-road, Deptford, Kent, painter: in the Queen's Prison.—*F. J. Z. Volant*, Leicester-square, Middlesex, clerk: in the Debtors Prison for London and Middlesex.—*Thomas Fry*, Trafalgar-street, Walworth, Surrey, milkman: in the Gaol of Horsemonger-lane.—*N. Putnam*, Walthamstow, Essex, clock maker: in the Debtors Prison for London and Middlesex.—*Lewis Dunbar*, North-street, Kennington-road, Surrey, in no trade: in the Queen's Prison.—*R. M. Bowman*, Belinda-terrace, Canonbury-sq., Islington, Middlesex, wine broker: in the Debtors Prison for London and Middlesex.—*R. Edward*, Chester-terrace, Borough-road, Southwark, Surrey, tailor: in the Gaol of Horsemonger-lane.—*Wm. Swalling*, Greenwich, Kent, builder: in the Queen's Prison.—*Edward Day*, London-wall, London, stove manufacturer: in the Debtors Prison for London and Middlesex.—*A. W. Irwin*, Bell-yard, Fleet-street, London, plumber: in the Debtors Prison for London and Middlesex.—*E. Wilcox*, Luard-street, Islington, Middlesex, in no business: in the Queen's Prison.—*T. Bulkeley*, Watford, Hertfordshire, gentleman farmer: in the Queen's Prison.—*Samuel Harvey* the younger, Grove-terrace, Brooksbys-walk, Lower Homerton, Middlesex, cowkeeper: in the Debtors Prison for London and Middlesex.—*G. Powditch*, Upper Queen's-buildings, Brompton, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*John Lever*, Manchester, pork butcher: in the Gaol of Lancaster.—*T. Davis*, Bath, Somersetshire, wine merchant: in the Gaol of Wilton.—*John Wragg*, Great Yarmouth, Norfolk, carpenter: in the Gaol of Norwich.—*J. Steward*, Starston, Norfolk, farming bailiff: in the Gaol of Norwich.—*Henry Wells*, Leeds, Yorkshire, provision dealer: in the Gaol of York.—*T. Downs*, Portsea, Hampshire, master rigger in her Majesty's dockyard, Portsmouth: in the Gaol of Winchester.—*Wm. Saxby*, Brighton, Sussex, painter: in the Gaol of Lewes.—*J. F. Johnson*, Derby, licensed victualler: in the Gaol of Derby.—*J. J. Blake*, Liverpool, gentleman: in the Gaol of Lancaster.—*John Cunningham*, Stockbridge, Hampshire, gentleman: in the Gaol of Winchester.—*John Kirkby*,

Ramsgill, near Pateley-bridge, Yorkshire, farmer: in the Gaol of York.—*Wm. Wagborne*, Arbour-square, Stepney, Middlesex, plumber: in the Gaol of Dover.—*T. Powell*, Builth, Brecknockshire, surgeon: in the Gaol of Brecknock.—*Thos. Reeves*, Liverpool, carpenter: in the Gaol of Lancaster.—*R. Smith*, Bedworth, Warwickshire, undertaker for the weaving of ribbons: in the Gaol of Coventry.—*Thomas Williams*, Carmarthen, writer: in the Gaol of Carmarthen.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 13 at 11, before the CHIEF COMMISSIONER.
Wm. G. Bentley, Portland-street, St. Marylebone, Middlesex, not in any trade.—*A. Warrand*, Castle-street, Holborn, London, attorney at law.—*D. Bowman*, Fore-street, Cripplegate, London, tailor.—*R. Pennafather*, Spur-street, Leicester-square, Middlesex, not in any profession.—*Thomas G. Smith*, Tannison-street, York-road, Lambeth, Surrey, in no business.

May 14 at 10, before Mr. Commissioner LAW.
Wm. Wright, Sion-square, Whitechapel, Middlesex, gun polisher.—*H. Bedford*, Three Tun-passage, Newgate-market, Newgate-street, London, poulterer.—*F. J. Z. Volant*, Leicester-square, Middlesex, courier.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, May 12.
John Tiley, Tredegar Iron-works, Monmouthshire, grocer.—*R. John*, Aburthin, near Cowbridge, farmer.—*W. Harris*, Cardiff, out of business.

At the County Court of Herefordshire, at HEREFORD, May 15 at 10.

John Roberts, Hereford, labourer.—*Joseph Bray*, Hereford, innkeeper.

INSOLVENT DEBTOR'S DIVIDEND.

Thomas B. Taylor, Preston, Lancashire, silk mercer, April 30, at Schofield's, Manchester: 4s. 11½d. in the pound.

FRIDAY, MAY 2.

BANKRUPTCY.

WILLIAM BURROWS, Park-street, Islington, Middlesex, surgeon and apothecary, May 14 at 2, and June 13 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Cooper, 9, Old Cavendish-st. and 11, Gray's-inn-square.—Petition filed Feb. 27.

JOHN WOODIN, formerly of Soho-square, since of Park-st., Grosvenor-square, since of Weymouth-st., and now of Matilda-st., Islington, Middlesex, upholsterer, May 9 at half-past 1, and June 13 at 12, Court of Bankruptcy, London: Off. Ass. Canman; Sols. Tucker & Jones, Sun-chambers, Threadneedle-st.—Petition dated April 24.

ROBERT SHEPPARD, Norwich, commission agent and general dealer, dealer and chapman, May 10 and June 16 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Jay & Pilgrim, Norwich; Jay, 14, Backlersbury.—Petition dated and filed April 30.

WILLIAM JACKSON, Orchard-st., Portman-square, Middlesex, painter, paperhanger, decorator, dealer and chapman, May 13 at 1, and June 10 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Lotts, 8, Bartlett's-buildings, Holborn.—Petition filed April 29.

WILLIAM ARTLEY, North Burton, Yorkshire, miller, dealer and chapman, May 14 and June 11 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Tweed, and Ball, Hull; Hodgson, Driffield.—Petition dated and filed April 19.

WILLIAM BOWN HARRISON, Chorlton-upon-Medlock, Lancashire, bleacher and washer, May 13 and June 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Cobbett, Manchester.—Petition filed April 30.

THOMAS CLIFTON and RICHARD EASBY RAWLE, Bristol, wine and spirit merchants, (trading under the firm of Thomas Clifton & Co.), May 16 and June 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Abbot & Lucas, Bristol.—Petition filed April 29.

JOSEPH M'MURRAY, late of New York, America, but now of Liverpool, Lancashire, merchant, shipbroker, dealer and chapman, May 9 and June 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Brotherton, Liverpool.—Petition filed April 23.

MEETINGS.

Samuel Adams, *Wm. Bridges Adams*, and *Gerard Ralston*, Fairfields-works, Bow, Middlesex, engineers, May 16 at 12, Court of Bankruptcy, London, pr. d.—*A. Housham*, Portsmouth, Southampton, grocer, May 26 at 2, Court of Bankruptcy, London, ch. ass. and aud. ac.—*Joseph Graham*, Notting-hill-square, Notting-hill, Middlesex, hosier, May 13 at 1, Court of Bankruptcy, London, last ex.—*Oliver Robbins*, Wolverhampton, Staffordshire, japanner, May 14 at 12, District Court of Bankruptcy, Birmingham, last ex.—*Clement Nuttall*, Bacup, Lancashire, innkeeper, June 4 at 12, District Court of Bankruptcy, Manchester, last ex.—*Samuel Armstrong*, Bolton-le-Moors, glass dealer, May 13 at 12, District Court of Bankruptcy, Manchester, last ex.—*Abraham Chadwick*, Rochdale, and Fair View, near Littleborough, Lancashire, cotton spinner, May 15 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Fletcher*, Haslingden, Lancashire, hardware dealer, May 19 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Carter*, Manchester-terrace, Kilburn, Middlesex, builder, May 14 at 11, Court of Bankruptcy, London, aud. ac.—*John Barugh*, High Holborn, Middlesex, oil and colour man, May 14 at half-past 11, Court of Bankruptcy, London, aud. ac.; May 23 at 2, div.—*John Bernard Warcup*, Broadway, Deptford, Kent, ironmonger, May 22 at 1, Court of Bankruptcy, London, aud. ac.—*William Lockyer*, Old-street, St. Luke's, and King-street, St. Giles-in-the-Fields, Middlesex, baker, May 22 at 2, Court of Bankruptcy, London, aud. ac.—*John Murrelle*, Colchester, Essex, innkeeper, May 13 at 11, Court of Bankruptcy, London, aud. ac.—*Thos. Dennis*, Lowestoft, Suffolk, builder, May 13 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel Lovington*, Devizes, Wiltshire, grocer, May 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Wm. Hulme*, Manchester, tailor, May 15 at 11, District Court of Bankruptcy, Manchester, aud. ac.—*William Henry Bushell*, Manchester, innkeeper, May 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Clayton*, Longcliffe, Yorkshire, *William Clayton*, Lostock, Walton-le-Dale, and *William Wilson*, Preston, Lancashire, bankers, May 22 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 23 at 12, div.—*James Holland* and *Edward Warden*, Preston, Lancashire, tallowchandlers, May 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 28 at 12, div.—*Hugh Buchanan M'Millan* and *Robert Service Wilson*, Preston and Accrington, Lancashire, drapers, May 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 26 at 12, div.—*Daniel M'Intyre*, Manchester, manufacturing chemist, May 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; May 28 at 11, div.—*Samuel Nicholson*, York, wholesale chemist, May 27 at 11, District Court of Bankruptcy, Leeds, aud. ac.; May 27 at 11, div.—*Theophilus Gamauf*, Fetter-lane, London, wholesale furrier, May 23 at 11, Court of Bankruptcy, London, fin. div.—*William Dicken*, Brentford-end, Isleworth, Middlesex, grocer, May 23 at 1, Court of Bankruptcy, London, div.—*William Ambrose Bradford*, Long-acre, Middlesex, cheesemonger, May 23 at half-past 11, Court of Bankruptcy, London, div.—*Rich. Northover*, Skinner-street, Bishopsgate-street, and Cheapside, London, lint manufacturer, May 23 at half-past 1, Court of Bankruptcy, London, div.—*Alfred French*, East Grinstead, Sussex, plumber, May 23 at 11, Court of Bankruptcy, London, div.—*George Corrie*, Bowling-street, Westminster, Middlesex, smith, May 23 at 12, Court of Bankruptcy, London, div.—*Stephen Keen*, Hillingdon, Middlesex, brickmaker, May 23 at half-past 11, Court of Bankruptcy, London, div.—*Charles Lewis*, Stangate-street, Lambeth, Surrey, tinplate manufacturer, May 23 at half-past 12, Court of Bankruptcy, London, div.—*George Milton*, Elizabeth-terrace, Liverpool-road, Islington, Middlesex, contractor, May 23 at 11, Court of Bankruptcy, London, div.—*Peter Van den Ende*, Strood, near Rochester, Kent, woolstapler, May 16 at 11, Court of Bankruptcy, London, div.—*William Bird Brodie* and *Charles George Brodie*, Salisbury, Wiltshire, bankers, May 26 at 11, Court of Bankruptcy, London, div.—*John Chell*, Manchester, colourman, May 26 at 12, District Court of Bankruptcy, Manchester, div.—*Edward Alanson*, Liverpool, wine merchant, May 23 at 11, District Court of Bankruptcy, Liverpool, div.—*John Wilkinson*, Brymbo, Denbighshire, ironmaster, May 23 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Reid, King's-row, Fimleco, Middlesex, corn dealer, May 26 at 12, Court of Bankruptcy, London.—*George John Galabin*, Bartholomew-close, London, printer, May 26 at 11, Court of Bankruptcy, London.—*William Mitchell*, Barnsley, Yorkshire, ironfounder, May 26 at 11, District Court of Bankruptcy, Leeds.—*Christopher Samuel Flood* and *Harry Buckland Lott*, Honiton, Devonshire, bankers, May 21 at 11, District Court of Bankruptcy, Exeter.—*Robert Wade*, Plymouth, Devonshire, grocer, May 22 at 11, District Court of Bankruptcy, Exeter.—*Hugh B. McMillan* and *Robert S. Wilson*, Preston and Accrington, Lancashire, drapers, May 26 at 12, District Court of Bankruptcy, Manchester.—*Hiram Williamson*, Manchester, manufacturer, May 26 at 12, District Court of Bankruptcy, Manchester.—*Robert Miller* and *Alexander Street*, Lancaster, builders, May 28 at 12, District Court of Bankruptcy, Manchester.—*Samuel H. Watson* and *John Kingston*, Rochdale and Burnley, Lancashire, mercers, May 23 at 11, District Court of Bankruptcy, Manchester.—*James Farley*, Liverpool, hosier, May 26 at 11, District Court of Bankruptcy, Liverpool.—*Henry Blakeley*, Castlebromwich, Warwickshire, brick dealer, May 27 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Whitfield Burnett, Bishopwearmouth, Durham, shipbroker.—*Edward D. Busher*, Piccadilly, Middlesex, coach builder.—*Charles Porter*, Bocking, Essex, out of business.—*Thomas H. Jolley*, Farringdon-st., London, fruit salesman.—*Henry G. Stahlschmidt*, Fenchurch-st., London, merchant.—*Edw. Warden*, Preston, Lancashire, tallowhandler.—*George F. Almay*, Sheffield, Yorkshire, hosier.—*W. Hale*, Bishampton, Worcestershire, baker.—*Wm. Atkinson* the younger, Goole, Yorkshire, shipwright.

SCOTCH SEQUESTRATIONS.

Andrew Dun, Edinburgh, writer to the signet.—*James McGill* and *John Morris*, Glasgow, manufacturers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Bisp, Bristol, butcher, May 7 at 11, County Court of Gloucestershire, at Bristol.—*Frederick Bull*, Plymouth, Devonshire, draper, May 22 at 11, County Court of Devonshire, at East Stonehouse.—*Wm. Scarciff*, Necton, Lincolnshire, farmer, May 17 at 10, County Court of Lincolnshire, at Lincoln.—*J. Legg*, Cheltenham, Gloucestershire, plumber, May 27 at 10, County Court of Gloucestershire, at Cheltenham.—*Samuel Austen*, Branchley, Kent, carpenter, May 16 at 10, County Court of Kent, at Tunbridge.—*T. Bullivant*, Lavenham, Suffolk, saddler, May 24 at 11, County Court of Suffolk, at Sudbury.—*William Hunter*, Halton Shields, Corbridge, Northumberland, bootmaker, May 17 at 2, County Court of Northumberland, at Hexham.—*Thomas Wilmerhurst* the younger, Lewes, Sussex, licensed victualler, May 20 at 12, County Court of Sussex, at Lewes.—*George Bone*, Amble, Warkworth, Northumberland, out of business, May 15 at 10, County Court of Northumberland, at Alnwick.—*Thos. Smith*, Shefford, Bedfordshire, baker, May 23 at 9, County Court of Bedfordshire, at Biggleswade.—*Sarah Brown*, widow, Cold Norton, Essex, farmer, May 20 at 12, County Court of Essex, at Maldon.—*T. Shaw*, Iddinsball, near Tarporley, Cheshire, farmer, May 8 at 10, County Court of Cheshire, at Chester.—*Wm. Jenkins*, Swansea, Glamorganhire, builder, May 17 at 10, County Court of Glamorganhire, at Swansea.—*William Williams*, Swansea, Glamorganhire, licensed victualler, May 17 at 10, County Court of Glamorganhire, at Swansea.—*John Rees*, Neath, Glamorganhire, mason, May 10 at 10, County Court of Glamorganhire, at Merthyr Tydvil.—*Charles Jackson*, Ashton, near Tarvin, Cheshire, out of business, May 8 at 10, County Court of Cheshire, at Chester.—*Thomas Phillips*, Long Melford, Suffolk, schoolmaster, May 24 at 11, County Court of Suffolk, at Sudbury.—*Ralph Edward Godschall Johnson*, Worthing, Sussex, out of business, May 12 at 11, County Court of Sussex, at Worthing.—*David Foster* the younger, Worthing, Sussex, hairdresser and perfumer, May 12 at 11, County Court of Sussex, at Worthing.—*T. E. James*, Chichester, Sussex, lieutenant in the royal navy, May 14 at 11, County Court of Sussex, at Chichester.—*E. Green*,

Swansea, Glamorganhire, confectioner, May 17 at 10, County Court of Glamorganhire, at Swansea.—*Henry Phillips*, Carmarthen, victualler, May 20 at 2, County Court of Carmarthenshire, at Carmarthen.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 16 at 11, before the CHIEF COMMISSIONER.

George Smith, Commercial-road East, Middlesex, tailor.

May 16 at 10, before Mr. Commissioner LAW.

Chas. T. Mitchell, Hampshire-grove, Camden-road-villas, Kentish-town, Middlesex, linendraper's assistant.—*Samuel Moss*, Bell-lane, Spitalfields, Middlesex, cigar dealer.

May 17 at 11, before Mr. Commissioner PHILLIPS.

Samuel Guttman, York-street, Covent-garden, Middlesex, tailor.—*A. Rutt*, Peel-grove, Old Ford-road, Bethnal-green, Middlesex, superannuated superintendent of police.—*H. R. Anderson*, Queen's Head-row, High-street, Newington Butts, Surrey, out of employment.—*John Northen*, Union-row, New Kent-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 16 at 11, before the CHIEF COMMISSIONER.

George Monk, Creek-bridge-road, Deptford, Kent, painter.—*James Edwards*, Baker-street, Portman-square, Middlesex, out of business.

May 16 at 10, before Mr. Commissioner LAW.

Jas. Newlose the younger, Margate, Kent, assistant school-master.

May 17 at 11, before Mr. Commissioner PHILLIPS.

Wm. Robins the younger, Plumstead, Kent, carpenter.—*Ildore Bernstein*, Strand, Middlesex, tailor.—*R. Remmett*, Stanley-street, Chelsea, Middlesex, barrister-at-law.

May 19 at 10, before Mr. Commissioner LAW.

James Basire the younger, Harrington-street North, Hampstead-road, Middlesex, mechanical engineer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, May 14.

John Cunningham, Stockbridge, gentleman.—*Thos. Downs*, Portsea, master rigger in her Majesty's dockyard at Portsmouth. At the County Court of Devonshire, at EXETER, May 17 at 10.

Thomas Barrows, Highweck, builder.—*John Stabb*, Newton Abbott, Woolborough, mason.—*Wm. Courtis*, Plymouth, shoemaker.

April 25, 1851.—An application was made to the Court of Queen's Bench by Mr. Peacock, Q. C., on behalf of Mr. John William Smith, of Sheffield, for a rule to enter his name upon the Roll as John William Pyesmith. This gentleman, it appeared, is one of the sons of the late Rev. Dr. John Pye Smith, formerly of Homerton, and highly distinguished for his talents and profound biblical learning. The Court at once granted the rule.

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The Jurist

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MAY 10, 1851.

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LONDON, MAY 10, 1851.

—
We are glad to see the sanction of so great a legal authority as that of Lord Denman, given to the proposal for examining the parties in all civil causes—a practice for which many good reasons may be given; against which, we believe, scarcely one rational argument can be urged. The whole doctrine of rejecting the evidence of parties to a cause, is founded upon the notion that no man can be expected to tell the truth against his own interest—a notion as false as it is mischievous. The result of it is, in fact, and of necessity, in a vast variety of cases, to exclude from the trial of a cause the only evidence in existence which could shew the truth, because it continually happens that the only persons who know the real truth are the parties in the cause themselves. Now, while the rule is, that a party cannot be examined, even honourable men do not think themselves bound to volunteer evidence against themselves; but if the rule were examination, innumerable would be the cases in which both plaintiff and defendant would give important evidence against as well as for themselves. In fact, the practice of examining parties to a cause is, and has long been, prevalent in many jurisdictions. In bankruptcy, the proceeding is not called a cause; but it is, to all substantial intents and purposes, a cause, in which the creditors are plaintiffs, and the bankrupt is defendant; and there both the bankrupt and the creditors are open to personal examination; nor has any one ever alleged that the practice does not work well. Again: in Chancery the defendant always is examined, and, practically, credit is given to his evidence for himself to some extent. True it is, that his positive allegations against the plaintiff cannot be used by him as evidence; but, on the other hand, his denials are so far evidence for him, that they must be rebutted by the evidence of more than one witness on behalf of the plaintiff. Of the success of the practice of examining the parties in the

county courts we need not say anything; the public statements of the judges of those courts on the subject are of notoriety, and establish clearly, that, according to their experience, an enormous amount of truth is ascertained in the causes that come before them, by examination of the parties, which never would come out in any other way.

The fact is, and every one, lawyer and layman, knows it, that many men will permit their adversary to fail, by reason of his not being permitted to ask them a question, who would shrink from giving an untrue answer to the question if asked. Hence, wherever a material fact is in the breast of one party, honourable enough to tell the truth if asked, but not to volunteer it unasked, justice is defeated. Again: there are many men too honourable to conceal a fact, though not bound to divulge it, if they knew that it was material: but they do not know at any stage of an action that it is material; or they know it too late; or, what is far more common, beyond giving instructions to their advisers, they take no part in the matter, and leave it all, as it is phrased, to the lawyer; and, of course, no lawyer considers himself instructed to admit a fact, unless it is regularly proved: and thus, again, a great deal of injustice may be, and we believe is, committed.

But to return to the principle of the exclusion of the evidence of parties, which is, in effect, the same as that on which the evidence of all interested parties used to be excluded. It proceeds altogether on a false assumption, viz. that interest, in the sense of pecuniary interest, necessarily so extinguishes a man's tendencies to veracity, as to make it in the highest degree improbable that he should tell the truth. No doubt pecuniary interest, like every other selfish interest, may affect his veracity; but to conclude that it wholly destroys it, without looking at the counterbalancing influences, is very foolish. A man's pecuniary interest may be altogether overbalanced by his love of his hatred for a particular person. For instance, a person would

expect that a mother, tenant in remainder, on the death of an only son, would have so strong a bias from her pecuniary interest, as to outweigh her bias from the love of her child. This may be an extreme case, but hundreds of cases might be put in which it would be manifest that some inducements (quite exclusive of religious or moral principle) exist in the mind of a party, much stronger than his inducements arising from pecuniary interest. To say, therefore, that a party shall not be examined because, on account of his pecuniary interest, he cannot be expected to tell the truth, without examining him to see what are his inducements to tell the truth, is, we repeat, excessively foolish. The question of the reception of evidence, so far as it depends on the position of the witnesses, should, in fact, we submit, be always one of credibility, and not of admissibility. A jury is not bound to believe a party, any more than a witness, because it receives his evidence; and a jury, intelligent enough to discriminate between truth and falsehood in an ordinary interested witness, may well be intrusted with the like function in respect to a party to the suit.

SECURITY FOR COSTS.

WHEN a person residing out of the jurisdiction of the Court of Chancery files a bill, it is an order of course, upon the application of the defendant, if made before he takes any other step in the cause, to direct the plaintiff to give security for the costs of the proceedings he originates, unless circumstances are distinctly stated in the bill which, according to the practice of the Court, exempt him from that liability (a), because the process of the Court could not reach him to enforce payment of costs, if in the result they were awarded against him (b); and the order also directs all further proceedings in the cause to be stayed until it has been complied with (c); and therefore, where the plaintiff fails to yield obedience, the Court will not only deny him the privilege of further prosecuting his suit, but will deprive him of any advantage he may already have gained, as an injunction, which it will dissolve, although it will not at once dismiss his bill (d); but if the plaintiff fails a second time in obeying the order of the Court, it will limit a certain time within which security for costs shall be given, or, in default, that the bill shall be dismissed, with costs (e).

The security so required of the plaintiff is effectual security—that of solvent persons; the Court will not accept any other (f); and where the security becomes bankrupt, the Court will order new security to be given within a certain time, or further proceedings to be stayed (g). However, the Court will give the plaintiff the option of paying a sufficient sum of money into court to answer the costs of the suit, instead of giving the usual security, if he applies specially to it for that purpose (h); and if the parties cannot agree on the

amount, it will be referred to the Master to approve of a proper sum (i).

Where a foreigner, who claimed to be a creditor upon the estate of a testator, which was administered in a suit, and who had omitted to bring in his claim before the Master had made his report, presented a petition, in which he described himself as resident in Paris, to have his claim referred to the Master, the Court made the order upon his giving security for costs (j).

It is the duty of a plaintiff to state his place of residence truly and accurately at the time he files his bill; and therefore, where the plaintiff in a supplemental suit omitted to give any address at all, he was ordered to give security for costs, although he was fully described in the original bill (k); but the mere fact of a party being described as of a particular place, and not being there when the bill was filed, is not of itself sufficient ground for requiring him to give security for costs (l). Where the description of the residence is correct at the time of the filing of the bill, but becomes inaccurate by subsequent change of residence, the plaintiff ought to state his actual residence in amending his bill; for though, by the rule of pleading, you ought not to insert in an amended bill allegations of facts which have occurred subsequently to the filing of the original bill, yet that rule does not apply to the description of the residence of the plaintiff (m).

But if, for the purpose of avoiding all access to him, the plaintiff wilfully misrepresents his residence, he will be ordered to give security for costs (n); but the rule does not extend to a case where he has done so innocently, and from mere error (o). So, a plaintiff who absconds, and is trying to escape the personal consequences of not obeying the orders of the Court, will be directed to give security for costs (p); and so also will a plaintiff who withdraws himself from the jurisdiction of the Court, and resides abroad, as he alleges, "for a temporary abode," but whose affidavit leaves it ambiguous whether he intends to return or not (q).

In order to entitle the defendant to move for security for costs, it is necessary that he should establish clearly, either by the description in the bill or by affidavit, that the plaintiff is resident abroad or going to reside abroad (r); the mere fact that he is gone abroad, or is going abroad, is not of itself sufficient to make the plaintiff liable to give security for costs (s); and therefore, where the plaintiff stated himself in the bill to be on a voyage to New York, and the defendant produced an affidavit that the plaintiff was gone to reside in America, and moved for security for costs, Lord Thurlow refused the motion, because he thought there was not sufficient evidence before the Court that the plaintiff was resident abroad; otherwise merely being at sea upon a fishing party would be a reason to compel giving secu-

(i) *Fellowes v. Deere*, (3 Beav. 353).

(j) *Drever v. Maunderley*, (5 Russ. 11); *Mynn v. Hart*, (9 Jur., part 1, p. 860); *Es parte Seidler*, (12 Sim. 106); *Anon.*, (1d. 262); *In re Dolman*, (11 Jur., part 1, p. 1095).

(k) *Campbell v. Andrews*, (12 Sim. 578).

(l) *Hurst v. Padwick*, (12 Jur., part 1, p. 21).

(m) *Kerr v. Gillespie*, (7 Beav. 269).

(n) *Sandys v. Long*, (7 Sim. 140; S. C., 2 My. & K. 487); *Es parte Foley*, (11 Beav. 456).

(o) *Simpson v. Burton*, (1 Beav. 556); *Kerr v. Gillespie*, (7 Beav. 269); *Smith v. Comfort*, (1 De G. & S. 684).

(p) *Bailey v. Grundy*, (1 Kee. 53).

(q) *Kennaway v. Tripp*, (11 Beav. 588); *Player v. Anderson*, (15 Sim. 104).

(r) *Wyatt's Pract. Reg.* 117; *Green v. Charnock*, (3 Bro. C. C. 371; S. C., 2 Cox, 284, and 1 Ves. jun. 396); *Anon.*, (2 Dick. 775); *Busk v. Beetham*, (2 Beav. 537); *Perrot v. Novelli*, (9 Jur., part 1, p. 770).

(s) *Hoby v. Hitchcock*, (5 Ves. 699); *White v. Greathead*, (15 Ves. 2).

(a) *Lillie v. Lillie*, (2 My. & K. 403); *Stackpoole v. O'Callaghan*, (1 Ball & B. 566).

(b) *Lord Aldborough v. Burton*, (2 My. & K. 401); *Mullett v. Christmas*, (2 Ball & B. 422).

(c) *Fox v. Blew*, (5 Mad. 147); *Busk v. Beetham*, (2 Beav. 537).

(d) *Fort v. The Bank of England*, (10 Sim. 616).

(e) *Giddings v. Giddings*, (10 Beav. 29).

(f) *Cliffe v. Wilkinson*, (4 Sim. 122).

(g) *Veitch v. Irving*, (11 Sim. 122); *Latour v. Holcombe*, (1 Ph. 262).

(h) *Cliffe v. Wilkinson*, (4 Sim. 122); *Perrot v. Novelli*, (9 Jur., part 1, p. 770); *In re Norman*, (11 Beav. 401).

city, and because the mere description in the bill was not sufficient evidence of the plaintiff's living abroad to call for security (t). From the report of this case it would seem that the Lord Chancellor did not give credit to the affidavit produced by the defendant; had he done so, it seems sufficient to have entitled him to security for costs, as it stated positively that the plaintiff had gone to *reside* abroad, not merely that he had gone abroad.

Where a plaintiff described himself as resident within the jurisdiction, in a bill to which a demurrer was allowed, but with liberty to amend, and on amending which he described himself as resident out of the jurisdiction, it was held that the defendant was entitled to the usual order of course for security for costs, and that it was not necessary in the petition for the order to state all that had previously occurred in the cause (u).

A defendant, whose right to have security for costs is *prima facie* established, should avail himself of it at the earliest opportunity after he is aware of its existence, as any step taken by him in the cause after he is aware of his right, even if by mistake (v), as answering, or applying for time to answer, will be deemed a waiver of the right (w).

Where some of the plaintiffs are resident within the jurisdiction, who would always be liable to the costs of the suit, other plaintiffs who are resident out of the jurisdiction cannot be required to give security for costs (x); nor can officers of the Crown, whether in the army, navy, or diplomatic service, holding appointments abroad out of the jurisdiction of the Court (y); but a peer of the realm, if resident abroad, is bound to give security for costs (z).

Again: where a plaintiff has brought a defendant into court, by instituting proceedings against him, and a cross-suit is the necessary or proper form of defence, it is but just that the defendant should be treated as a defendant throughout, and therefore he will not be required to give security for the costs of the cross-suit, which, in truth, is merely defensive (a); and so, where a defendant at law, although a foreigner residing abroad, but sojourning for a time only in England, files a bill to restrain an action commenced by the defendant against him at law, he will not be liable to give security for costs (b).

The Court of Chancery has not jurisdiction to direct security for costs of an action at law to be given by a plaintiff, even where he is prosecuting it by the leave of the Court given in a suit between the same parties, but in a proper case it will deprive him of the leave so given, and then if he wishes to proceed with his action at law, he must apply to the Court for permission so to do, which will be granted upon terms, and thus he will be compelled to give security for costs (c).

For the amount of the security which must be given, the manner of giving it, and the form of the bond, &c., see 1 Dan. Ch. Prac. 33, Head's ed. T. H. F.

(t) *Green v. Charnock*, (3 Bro. C. C. 371).

(u) *Wyllie v. Ellice*, (11 Beav. 99).

(v) *Dyott v. Dyott*, (1 Mad. 187).

(w) *Craig v. Bolton*, (2 Bro. C. C. 609); *Stackpoole v. O'Callaghan*, (1 Ball & B. 566); *Meliorucchy v. Meliorucchy*, (2 Ves. sen. 24; S. C., 1 Dick, 147); *Scilay v. Hanson*, (5 Ves. 261); *Anon.*, (10 Ves. 287); *Weeks v. Cole*, (14 Ves. 618); *Drison v. Mannis*, (3 Dru. & W. 154).

(x) *Winthrop v. The Royal Exchange Assurance Company*, (1 Dick, 282); *Walker v. Easterby*, (6 Ves. 612).

(y) *Colebrooke v. Jones*, (1 Dick, 154); *Evelyn v. Chippen-dale*, (9 Sim. 497).

(z) *Lord Aldborough v. Burton*, (2 Man. & R. 401).

(a) *Slaggett v. Viant*, (13 Sim. 187); *Vincent v. Hunter*, (5 Hare, 320); *Macgregor v. Shaw*, (2 De G. & S. 361).

(b) *Wattem v. Billam*, (14 Jur., part 1, p. 165).

(c) *Hilton v. Lord Grenville*, (5 Beav. 263); but see *Desprey v. Mitchell*, (5 Mad. 87).

Review.

The Law of Pleading and Evidence in Civil Actions, arranged Alphabetically; with Practical Forms, and the Pleadings and Evidence to support them. By JOHN SIMCOE SAUNDERS, Esq. *The Second Edition, by ROBERT LUSH, Esq., Barrister at Law.* 2 vols. 1851. [Sweet, Maxwell, and Stevens & Norton.]

A TOLERABLY correct estimate might be formed of the amount of change wrought in the law, and the number of decisions which have accumulated since the year 1828, by comparing the two modest volumes in which this work then appeared, with their giant successors of 1851. We do not suggest this measurement by the rule as a means of ascertaining the relative value of the two editions, nor desire to follow the example of Sterne's Critic, "taking the length, breadth, height, and depth of an epic poem, and trying them at home upon an exact scale of Bossu's." Although a great book considered *per se* is a great evil, yet a *complete* book must be deemed a great benefit; and if we were asked to point out the characteristic of the work before us, we should say that it is to be found in its completeness. Mere notes of cases may be of some use as an index when the practitioner is sitting in his chambers, with the cases themselves ranged upon his bookshelves; but they are often worse than useless, as tending to mislead, when they are relied upon in court or on circuit. Now, in this edition of Saunders, the sections of statutes which are referred to, and which are of practical importance, are set forth at length; all the material facts of every leading case are also given, together with such principles as may be deduced from them. The two volumes may be said to contain the whole body of law in civil actions, except such practical proceedings as are altogether irrespective of pleading and evidence, and belong peculiarly to the province of Tidd and Archbold. The cases and statutes up to January, 1851, (including the new Stamp Act, which is set forth at length in the Appendix), are collected and arranged.

Although the original plan has been adhered to, many new divisions have been introduced, the names of cases given, and a copious index added. The form of this work is well known—its contents are alphabetically arranged, each separate title is treated in a uniform manner, and, when subdivision is required, a list of contents is placed at the head of each. When the laws of pleading and evidence are combined, the arrangement is as follows:—As regards the plaintiff—first, his remedy is described; then the law which governs the form of that remedy; next, the form itself; and, lastly, the evidence required to support it. As regards the defendant, a similar course is adopted—instructions are first given as to the choice of his plea; next, as to the manner of framing it; and, lastly, the evidence required to support it.

No change in the procedure of our courts can materially lessen the value of a book like this. It is supposed that extensive alterations will be made, sooner or later, in the forms of pleadings and in the merely practical proceedings in an action; but in this work practice is omitted, and though precedents of pleadings are given, yet they are in so concise a form, that they occupy but a small portion of its pages.

We hold, that whatever changes may be effected, the principles of pleading must always be a valuable and necessary part of a lawyer's studies, for the right understanding of previous decisions, and for their application to subsequent cases. Neither will forms of pleadings be altogether useless; on the contrary, though they may be drawn with less technicality and strictness than at present, they will continue to shew what the law was and is in clear and explicit terms, and will, in fact, embody that which it is necessary to prove. "One of

the best arguments or proofs in law," says Lord Coke*, "is drawn from the right entries or course of pleading: for the law itself speaketh by good pleading; and therefore Littleton here saith, it is proved by the pleading, &c., as if pleading were ipsius legis viva vox."

The bulk of these volumes is devoted to the general principles of law, the rules of evidence, and the forms of civil actions. These subjects can never become obsolete in any system of judicature.

The excellent arrangement which was adopted by the author and has been followed by the learned editor of this work, the clear and full information afforded by it, and the importance of the subject treated of in its pages, entitle it to a high rank in the practical and useful literature of our Profession. It is so complete, that no other book will be required as a circuit companion, so far as regards the civil side of the court; while as a work of general reference, and for the "noting up" of new cases, it will be found to be very useful. Our acquaintance with this edition has been but short; we speak, however, from practical experience, having taken it with us on the last circuit, and having frequently referred to its pages as moot points arose.

London Gazette.

TUESDAY, MAY 6.

BANKRUPTS.

RICHARD EDWARDS, Sudbury, Suffolk, linendraper, dealer and chapman, May 15 at 11, and June 12 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Hardwick & Co., Weavers'-hall, Basinghall-st.—Petition filed April 25.

WILLIAM LANE MARTIN, New-road, Gravesend, Kent, ironmonger, dealer and chapman, May 15 at 11, and June 20 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Sharland, Gravesend; Wilkinson & Co., 2, Nicholas-lane, Lombard-street.—Petition dated and filed May 5.

GEORGE WHEELER, George-street, Richmond, Surrey, grocer and cheesemonger, May 14 at half-past 1, and June 13 at half-past 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Digby, 1, Circus-place, Finsbury-sq.—Petition filed May 2.

SAMUEL COCKERILL, Northampton, draper, dealer and chapman, May 20 at 1, and June 17 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Reed & Co., 59, Friday-st., Cheap-side.—Petition filed April 28.

JAMES EVETT, Shifnal, Shropshire, apothecary, dealer and chapman, May 24 at 1, and June 9 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated and filed April 23.

THOMAS PEARSON, Cann House, Plympton St. Mary, Devonshire, merchant, May 22 and June 19 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Gibson & Moore, Plymouth.—Petition filed May 3.

FRANCIS FARRAND, Almondbury, Yorkshire, fancy cloth manufacturer, May 30 and June 19 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. J. & W. Sykes, Milns-bridge, near Huddersfield; Bond & Barwick, Leeds.—Petition dated and filed May 1.

MEETINGS.

Charles Lewis, Stangate-street, Lambeth, Surrey, tin-plate manufacturer, May 16 at 12, Court of Bankruptcy, London, aud. ac.—*George Corrie*, Bowling-st., Westminster, Middlesex, smith, May 16 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Stephen Keen*, Hillingdon, Middlesex, brickmaker, May 16 at half-past 11, Court of Bankruptcy, London, aud. ac.—*George Milton*, Elizabeth-terrace, Liverpool-road, Islington, Middlesex, contractor, May 16 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Brickwood Coltman*, Regent-street, Middlesex, court milliner, May 16 at 12, Court of Bankruptcy, London, aud. ac.—*Robt. M. Dowall*,

Worthing, Sussex, draper, May 29 at 12, Court of Bankruptcy, London, div.—*James Racine* and *John Jaques*, Hare-street, Bethnal-green, Middlesex, dyers, May 27 at 1, Court of Bankruptcy, London, div.—*George T. Whittington*, Great St. Helen's, London, merchant, May 30 at 1, Court of Bankruptcy, London, fin. div.—*R. Nicol*, Fenchurch-st., London, grocer, May 27 at half-past 12, Court of Bankruptcy, London, div.—*R. F. Gower* the younger, *R. E. Alison*, and *Wm. L. Cumberlege*, New Broad-street, London, and Valparaiso, in the Republic of Chili, merchants, May 27 at 11, Court of Bankruptcy, London, div. sep. est. of *R. F. Gower*.—*James Carter*, Manchester-terrace, and Upton-villas, Kilburn, Middlesex, builder, May 27 at 12, Court of Bankruptcy, London, div.—*J. Dawson*, Northfleet, Kent, and Mitre-court-chambers, Temple, and Clement's-lane, Lombard-street, London, shipowner, May 27 at 11, Court of Bankruptcy, London, div.—*S. Salomon*, Strand, Middlesex, tailor, May 27 at 1, Court of Bankruptcy, London, div.—*Richard Wade*, Chespaide, London, tailor, May 30 at 12, Court of Bankruptcy, London, div.—*William L. Wood*, Gracechurch-street, London, ironmonger, May 30, Court of Bankruptcy, London, div.—*Wm. Hoole* and *John Lockyer*, St. James's-walk, Clerkenwell, Middlesex, metal tool merchants, May 29 at 1, Court of Bankruptcy, London, div. sep. est. of *W. Hoole*.—*D. J. Elster* and *J. G. Elster*, Threadneedle-street, London, merchants, May 29 at 1, Court of Bankruptcy, London, div.—*Walter Westrup* and *Thos. M. Cockedge*, New Crane, Shadwell, Middlesex, and Northfleet, Kent, millers, May 29 at 2, Court of Bankruptcy, London, div.—*James Holland* and *Edward Warden*, Preston, Lancashire, tallow chandlers, May 28 at 12, District Court of Bankruptcy, Manchester, div.—*W. Hulme*, Manchester, tailor, May 29 at 11, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Robt. Galloway, St. John-street, Middlesex, brush manufacturer, May 29 at 2, Court of Bankruptcy, London.—*Wm. Buckle*, Pall-mall, Westminster, and Leadenhall-street, London, master mariner, May 27 at 12, Court of Bankruptcy, London.—*Isaac Dewhurst* and *John S. Dewhurst*, Embay, Skipton, Yorkshire, cotton spinners, May 27 at 11, District Court of Bankruptcy, Leeds.—*Edward Pownall*, Ipswich, Suffolk, and Harwich, Essex, shipowner, May 29 at 2, Court of Bankruptcy, London.—*Smith Tibbits*, Shuckburgh, Warwickshire, dealer in mineral ores, May 26 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Winn, Charlotte-street, Blackfriars-road, Surrey, gas-fitter.—*Alexander Black*, Wellington-street North, Covent-garden, Middlesex, bookseller.—*Thos. Toynbee*, University-street, Tottenham-court-road, Middlesex, horse dealer.—*Jas. Dixon*, Morley, Batley, Yorkshire, dyer.—*Henry Charles*, Manchester, flour dealer.—*Wm. Suddaby*, Kingston-upon-Hull, millwright.—*R. Boyle* the younger, Kingston-upon-Hull, merchant.—*William Starkey*, Huddersfield, Yorkshire, wool-stapler.

FIAT ANNULLED.

William Thompson, Morpeth, Northumberland, spirit merchant.

PARTNERSHIP DISSOLVED.

Christopher Hicks and *Henry Hicks*, Shrewsbury, Shropshire, attorneys, (heretofore carrying on business under the firm of Hicks & Son).

SCOTCH SEQUESTRATIONS.

Donald Andrew, Campbeltown, tinsmith.—*M. Smellie*, Glasgow, draper.—*John Gibson*, Muldreg, Fearu, Ross-shire, shipowner.—*John Seiveuright*, Bridge of Dundee, near Aberdeen, spirit merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Tomlin, Kimpton, Hertfordshire, baker, May 21 at 10, County Court of Hertfordshire, at Hitchin.—*Jas. Taylor*, Great Marlow, Buckinghamshire, farmer, May 13 at 11, County Court of Buckinghamshire, at High Wycombe.—*M. W. Breeon*, St. Ives, Huntingdonshire, tailor, May 21 at 12,

* Co. Litt. 115. b.

County Court of Huntingdonshire, at Huntingdon.—*J. I. Saunders*, Ramsey, Huntingdonshire, out of business, May 21 at 12, County Court of Huntingdonshire, at Huntingdon.—*Joseph Derrick*, Bath, poulterer, May 10 at 11, County Court of Somersetshire, at Bath.—*Jacob Mathias Perl*, Bath, jeweller, May 10 at 11, County Court of Somersetshire, at Bath.—*Samuel Smith*, Chorlton-upon-Medlock, Lancashire, out of employment, May 16 at 2, County Court of Lancashire, at Manchester.—*Thomas Storr*, Newport, Isle of Wight, Hampshire, innkeeper, May 19 at 10, County Court of Hampshire, at Newport.—*Richard Watson Shorland*, Ryde, Isle of Wight, Hampshire, carver and gilder, May 19 at 10, County Court of Hampshire, at Newport.—*Charles Groves*, Ventnor, Newchurch, Isle of Wight, Southampton, out of business, May 19 at 10, County Court of Hampshire, at Newport.—*John Waring*, Birmingham, out of business, May 24 at 11, County Court of Warwickshire, at Birmingham.—*Samuel Bradley*, Birmingham, glass toy maker, May 17 at 11, County Court of Warwickshire, at Birmingham.—*John Lakins*, Birmingham, schoolmaster, May 17 at 11, County Court of Warwickshire, at Birmingham.—*Francis John Bascomb*, Fratton, Portsea, Southampton, painter, May 17 at 11, County Court of Hampshire, at Portsmouth.—*John Osley*, Tenterden, Kent, farm bailiff, May 13 at 11, County Court of Kent, at Tenterden.—*Stephen Odden*, Beaver, Ashford, Kent, farmer, May 12 at 10, County Court of Kent, at Ashford.—*George White*, West Dean, Gloucestershire, engine tender, May 16 at 2, County Court of Monmouthshire, at Monmouth.—*John Harris* the elder, Coleford, Gloucestershire, quarryman, May 16 at 2, County Court of Monmouthshire, at Monmouth.—*John Holmes*, Ouseburn, Newcastle-upon-Tyne, potter, May 22 at 10, County Court of Northumberland, at Newcastle.—*William Cook*, Newcastle-upon-Tyne, sheriff's officer, May 22 at 10, County Court of Northumberland, at Newcastle.—*John Yeats*, Bembridge, Isle of Wight, Hampshire, May 19 at 10, County Court of Hampshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 20 at 10, before Mr. Commissioner LAW.

Edwin Alexander Hancock, Harlington-street, New North-road, Middlesex, clerk in the Money Order Department of the General Post-office, London.—*John Lawrence*, Duke-street, Adelphi, Middlesex, out of business.

May 21 at 11, before the CHIEF COMMISSIONER.

William Turner Cook, Potter's-bar, near Barnet, Middlesex, draper.—*Rich. John Moscrop*, Holloway-terrace, Middlesex, corn dealer.—*William Piercy Westley*, Hoxton Old-town, Middlesex, clerk in her Majesty's Custom-house.

Saturday, May 3.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

J. Lloyd, Fromanton, Herefordshire, farmer, No. 73,331 C.; *William Holley*, assignee.—*Henry Branscombe*, Exmouth, Devonshire, builder, No. 73,420 C.; *Henry John Pyne*, assignee.—*John Littlehailes*, Elvet-bridge, Durham, shoemaker, No. 73,417 C.; *George Ogilvie Brammer* and *Joseph White*, assignees.—*John Ward*, Mordiford, Herefordshire, blacksmith, No. 73,444 C.; *Thomas Frederick Wall*, assignee.—*William Hill Winnill*, Arundel, Sussex, out of business, No. 73,334 C.; *Francis Glading*, assignee.—*John Eddy*, St. Buryan, Cornwall, farmer, No. 73,073 C.; *Thomas Paynter*, assignee.—*James Leeming*, Preston, Lancashire, farmer, No. 73,207 C.; *John Briggs*, assignee.—*Edward Griffiths*, Penygrig, Swansea, Glamorganshire, farm bailiff, No. 73,345 C.; *Thomas John*, assignee.—*David Downing*, Little Albion-street, Rotherhithe, Surrey, commission agent, No. 62,207 T.; *Frederick William Thomas*, assignee.—*Geo. Fuller*, Crosby-row, Walworth, Surrey, cheesemonger, No. 62,192 T.; *John Ruck*, assignee.

Saturday, May 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Rowlingson, William-terrace, Grove-st., New-town,

Poplar, Middlesex, mariner: in the Debtors Prison for London and Middlesex.—*James Denton*, Erith, Kent, commission agent: in the Debtors Prison for London and Middlesex.—*Thomas Smith*, Bromley, Kent, farmer: in the Queen's Prison.—*John Mobbs*, Little Charlotte-st., Blackfriars-road, Surrey, not in any business: in the Queen's Prison.—*Robert Evennett*, South Ville, Wandsworth-road, Surrey, importer of foreign merchandises: in the Queen's Prison.—*Thos. William Horder*, Braganza-villas, Canonbury-park, Islington, Middlesex, druggist: in the Debtors Prison for London and Middlesex.—*Samuel Digby Wright*, Artillery-barracks, Woolwich, Kent, first lieutenant in her Majesty's regiment of artillery: in the Queen's Prison.—*Thomas Binns*, Westgate, Wakefield, Yorkshire, builder: in the Gaol of York.—*Wm. Shorman*, Coates, Whittlesey, Isle of Ely, Cambridgeshire, farmer: in the Gaol of Cambridge.—*Wm. Sawyer Codner*, Dartmouth, Devonshire, linendraper: in the Gaol of St. Thomas the Apostle.—*George Downing*, Kirkgate, Wakefield, Yorkshire, plumber: in the Gaol of York.—*Thomas Payne*, Newton Abbott, Woolborough, Devonshire, innkeeper: in the Gaol of St. Thomas the Apostle.—*John Stephen Skinner*, Paignton, Devonshire, mason: in the Gaol of St. Thomas the Apostle.—*Thomas Cattell Wilcox*, Birmingham, commission agent: in the Gaol of Coventry.—*James Watson*, Cowling, near Keighley, Yorkshire, grocer: in the Gaol of York.—*Wm. Tvoze*, Holcombe Rogus, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*Joseph Coupe*, Wigan, Lancashire, ironfounder: in the Gaol of Lancaster.—*Richard Coupe*, Wigan, Lancashire, ironfounder: in the Gaol of Lancaster.—*Robert Rumney Atkinson*, Manchester, brewer: in the Gaol of Lancaster.—*Thomas Greatbatch*, Oxford, fishmonger: in the Gaol of Oxford.—*Arthur Steele*, Middlesbrough, Yorkshire, publican: in the Gaol of York.—*Fredk. Saul*, Knottingley, Yorkshire, grocer: in the Gaol of York.—*John Allen*, Hemsaworth, near Wakefield, Yorkshire, butcher: in the Gaol of York.—*John Samuel Fogg*, Saddleworth, Yorkshire, game watcher: in the Gaol of York.—*Wm. Hill*, Hulme, Manchester, oil cloth manufacturer: in the Gaol of Lancaster.—*Chas. Jones*, Newport, Monmouthshire, brewer's traveller: in the Gaol of Cardiff.—*John Lees*, Salterhebble, near Halifax, Yorkshire, farmer: in the Gaol of York.—*Hardisty Metcalfe*, Low Harrogate, Yorkshire, lodging-house keeper: in the Gaol of York.—*John Procter*, Burnley, Lancashire, butcher: in the Gaol of Lancaster.—*W. Stephens*, Ystradgynlais, Brecknockshire, chemist: in the Gaol of Brecknock.—*David Watkins*, Herwain, near Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—*J. Wayne*, Manchester, provision-shop keeper: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 20 at 11, before the CHIEF COMMISSIONER.

Norris Putnam, Walthamstow, Essex, clock maker.—*Jos. Jolly*, Grove-street, Camden-town, out of business.

May 22 at 11, before Mr. Commissioner PHILLIPS.

Thos. Casey, jun., New Buckingham-street, Buckingham-square, New Kent-road, Surrey, following no trade.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Sussex, at LEWES, May 20 at 12.

Wm. Saxby, Brighton, painter.—*Edw. Morris*, Brighton, out of business.

At the County Court of Wiltshire, at SALISBURY, May 21 at 12.

Alfred Cecil Stancomb, Trowbridge, clerk in a cloth factory.

At the County Court of Northumberland, at NEWCASTLE, May 22 at 10.

George Alexander Von Dommer, Newcastle-upon-Tyne, out of business.

FRIDAY, MAY 9.

BANKRUPTS.

RICHARD GUDGIN, Cople, Bedfordshire, licensed victualler and dealer in cattle, May 16 and June 20 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Green, Woburn, Bedfordshire; Wright, 11, Fumival's-inn, Holborn.—Petition dated May 8.

JOHN WILLIAM CREED, Chadwell St. Mary, Tilbury Fort, Essex, innkeeper, dealer and chapman, May 29 and June 19 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Matthews, 2, Arthur-street West, London-bridge.—Petition filed May 8.

JOHN MOORES the younger, Aylesbury, Buckinghamshire, draper, May 24 and June 23 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Wilkinson & Co., 2, Nicholas-lane, City.—Petition dated May 8.

CHARLES SALTER and **RICHARD MORRIS EVANS**, Upper King-street, Bloomsbury, Middlesex, and Cornhill, London, tailors, dealers and chapmen, (trading under the style or firm of Salter & Evans), May 20 at 2, and June 24 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house; Lindsay & Mason, 26, Greatham-street, City.—Petition dated May 8.

FREDERICK AUGUSTE DIETRICH, Bennett-street, Stamford-street, Blackfriars-road, Surrey, hat manufacturer, May 16 at half-past 11, and June 12 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Turnley, 16, Cornhill.—Petition filed April 30.

FREDERICK WALTER FROGETT and **JAMES VAN PUTTEN**, Mark-lane, London, corn merchants, May 20 and June 19 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. May & Sweetland, Queen-square, Bloomsbury.—Petition filed May 8.

DAVID KIRBY, Brackley, Northamptonshire, linen and woollen draper, clothier, dealer and chapman, May 22 at half-past 12, and June 20 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Shattock, 63, Coleman-st.—Petition dated May 7.

WILLIAM ROLFE GOLDER, Folkestone, Kent, miller, shipowner, dealer and chapman, May 19 and June 16 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Watson, Folkestone; Bower & Son, 46, Chancery-lane.—Petition dated May 7.

CHARLES THOMAS SPENCER DEVEY, Woburn, Bedfordshire, auctioneer, upholsterer, and cabinet maker, dealer and chapman, May 29 and June 17 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Cobb, 11, Downham-road, Lower Islington.—Petition filed May 8.

THOMAS BAGG, Birmingham, victualler, dealer and chapman, May 24 at 1, and June 9 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Gem, and Motteram & Co., Birmingham.—Petition dated May 3.

ISIAH HARPER, Dudley, Worcestershire, builder, upholsterer, dealer and chapman, May 22 and June 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. E. & H. Wright, Birmingham.—Petition dated May 5.

JAMES MERRELL, Walcot, Holy Cross, Pershore, Worcestershire, cattle dealer, dealer and chapman, May 22 and June 17 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. E. & H. Wright, Birmingham.—Petition dated April 25.

WILLIAM GRAY, Sunderland, Durham, draper, dealer and chapman, May 23 and June 24 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Griffith & Crighton, Newcastle-upon-Tyne; Sale & Co., Manchester.—Petition filed April 26.

MEETINGS.

James Keele and *Robert J. Bidee*, Riches-court, Lime-st., London, merchants, May 20 at 11, Court of Bankruptcy, London, last ex.—*R. M'Donnell*, Worthing, Sussex, draper, May 23 at 1, Court of Bankruptcy, London, aud. ac.—*Edw. Ridley*, Leicester, linendraper, May 29 at 12, Court of Bankruptcy, London, aud. ac.; May 30 at 1, div.—*John Dawson*, Northfleet, Kent, and Mitre-court-chambers, Temple, and Clement's-lane, Lombard-st., London, shipowner, May 21 at 1, Court of Bankruptcy, London, aud. ac.—*Samuel Meyer*, Old-street, St. Luke's, Middlesex, linendraper, May 24 at 11, Court of Bankruptcy, London, aud. ac.—*Edwin Hobbs*,

Brighton, Sussex, victualler, May 24 at 11, Court of Bankruptcy, London, aud. ac.—*Edwin Unitt*, Mickleton, Gloucestershire, cattle dealer, May 22 at 12, District Court of Bankruptcy, Bristol, aud. ac.—*James Holland* and *Edw. Warden*, Preston, Lancashire, tallowchandlers, May 19 at 12, District Court of Bankruptcy, Manchester, aud. ac. sep. est., and June 2 at 12, first and fin. div. sep. est. of *James Holland*.—*J. Wilkinson*, Brymbo, Denbighshire, ironmaster, May 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Atkinson*, Liverpool, wine merchant, May 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robert Wade*, Plymouth, Devonshire, grocer, May 22 at 11, District Court of Bankruptcy, Plymouth, aud. ac.—*Wm. Tivley*, Reading, Berkshire, common brewer, May 30 at half-past 1, Court of Bankruptcy, London, div.—*Wm. Collins*, Rugby, Warwickshire, tailor, May 30 at half-past 1, Court of Bankruptcy, London, div.—*Alfred G. Robinson*, Leicester, woolstapler, May 30 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*Samuel Lavington*, Devizes, Wiltshire, grocer, June 6 at 11, District Court of Bankruptcy, Bristol, div.—*John Houston*, Whitby, Yorkshire, keeper of an hotel, June 20 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James H. Brown, Norwich, wine merchant, May 31 at 11, Court of Bankruptcy, London.—*John Buitrey*, Woolwich, Kent, victualler, May 31 at 12, Court of Bankruptcy, London.—*Robert Adams*, Holy Cross, Westgate, near Canterbury, Kent, fellmonger, May 30 at 11, Court of Bankruptcy, London.—*Henry Collings*, Wickwar, Gloucestershire, innkeeper, June 3 at 11, District Court of Bankruptcy, Bristol.—*Henry Smith*, Westbromwich, Worcestershire, builder, June 3 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. Waterman, Wicker, Sheffield, Yorkshire, grocer.—*Thomas Truby*, Bioceter, Oxfordshire, hardwareman.—*Wm. Neek* the younger, Torre, near Torquay, Devonshire, corn dealer.—*Thomas Tappenden*, Friendly-place, Old Kent-road, Surrey, tailor.—*J. Thompson*, Piccadilly, Middlesex, linen-draper.

FIAT ANNULLED.

Thomas Boneer, Newgate-market, London, meat salesman.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Alfred Green, Ramsgate, Kent, cabinetmaker, May 16 at 10, County Court of Kent, at Ramsgate.—*Robert Hills*, Ely, Cambridgeshire, farmer, May 23 at 11, County Court of Cambridgeshire, at Ely.—*Frederick John Clark*, Mildenhall, Suffolk, out of business, May 27 at 10, County Court of Suffolk, at Mildenhall.—*George Foat*, Ramsgate, Kent, cheesemonger, May 16 at 10, County Court of Kent, at Ramsgate.—*Robt. Barton*, Walsall, Staffordshire, grocer, May 23 at 12, County Court of Staffordshire, at Walsall.—*Thomas Aeking*, Highworth, Wiltshire, general-shop keeper, May 23 at 12, County Court of Wiltshire, at Swindon.—*Thomas Knights*, Lowestoft, Suffolk, coal dealer, May 21 at 9, County Court of Suffolk, at Lowestoft.—*Ann Blasham*, Southam, Warwickshire, licensed victualler, May 24 at 10, County Court of Warwickshire, at Southam.—*John Goodenough*, Leamington Priors, Warwickshire, carpenter, May 23 at 2, County Court of Warwickshire, at Warwick.—*William Tripp*, Binfield, Berkshire, licensed victualler, June 14 at 10, County Court of Berkshire, at Windsor.—*Wm. Tindale*, Askew, near Bedale, Yorkshire, farm servant, May 17 at half-past 10, County Court of Yorkshire, at Northallerton.—*John Johnson*, East Harley, Yorkshire, farmer, May 17 at half-past 10, County Court of Yorkshire, at Northallerton.—*Charles Lister*, Green Hamerton, near Knaresborough, Yorkshire, stonemason, May 22 at half-past 10, County Court of Yorkshire, at Knaresborough.—*Thomas George*, Oxford, tinplate worker, May 27 at 2, County Court of Oxfordshire, at Oxford.—*William Gray*, Frankwill, Shrewsbury, Shropshire, carpenter, May 20 at 10, County Court of Shropshire, at Shrewsbury.—*Thos. Dennis*, Terrington St. John's, Norfolk, butcher, May 20 at 6, County Court of Norfolk, at King's Lynn.—*John Norton*, Minster, Isle of Sheppey, Kent, inland revenue officer, May 19 at 10,

County Court of Kent, at Sheerness.—*John Martin*, Chew Stoke, Somersetshire, farmer, May 17 at 12, County Court of Somersetshire, at Clutton.—*Charles Slingsby*, Winttingham, Lincolnshire, ship carpenter, May 20 at 11, County Court of Lincolnshire, at Barton-upon-Humber.—*Robert East*, Winterton, Lincolnshire, common carrier, May 20 at 11, County Court of Lincolnshire, at Barton-upon-Humber.—*William Making Quig*, Carlton, Cambridgeshire, licensed victualler, May 27 at 9, County Court of Essex, at Saffron Walden.—*William Armstrong*, Great Finborough, Suffolk, carpenter, May 19 at 10, County Court of Suffolk, at Stowmarket.—*William Clayton*, Prestgate, Barton-upon-Humber, Lincolnshire, shoemaker, May 20 at 11, County Court of Lincolnshire, at Barton-upon-Humber.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 23 at 11, before the CHIEF COMMISSIONER.

John Duff, Hornsey-row, Upper-street, Islington, Middlesex, carpenter.

May 23 at 10, before Mr. Commissioner LAW.

Richard Delle Nelson, Hemsworth-street, Hoxton, Middlesex, hat manufacturer.

May 24 at 11, before Mr. Commissioner PHILLIPS.

David Litchfield Harrison, Albion-cottage, Larkhall-lane, Clapham, Surrey, timber dealer.—*Thos. Newton*, Red Lion-street, Spitalfields, Middlesex, boot and shoe agent.—*William Wigfield* the younger, Hickman's-folly, Dockhead, Bermondsey, Surrey, shopman to a tinman.

May 26 at 10, before Mr. Commissioner LAW.

Richard Thomas Moore, Caroline-street, Camden-town, Middlesex, carpenter.—*Charles Gilham*, Great Crown-court, Little Pulteney-street, Westminster, Middlesex, hairdresser.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 23 at 11, before the CHIEF COMMISSIONER.

Richard Porter the elder, Paul-street, Finsbury, Middlesex, coffee-shop keeper.—*William Henry King*, Silver-street, Golden-square, Middlesex, out of business.

May 23 at 10, before Mr. Commissioner LAW.

Samuel Harvey the younger, Grove-terrace, Brooksbypark, Lower Homerton, Middlesex, cowkeeper.

May 26 at 10, before Mr. Commissioner LAW.

Thomas Wm. Horder, Braganza-villas, Canonbury-road, Islington, Middlesex, chemist.—*Elizabeth Wilcox*, Luard-st., Caledonian-road, Islington, Middlesex, never in any business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,
May 23 at 11.

John Elston Rogers, Liverpool, agent for the sale of newspapers.—*John Procter*, Burnley, butcher.—*John Wayne*, Manchester, out of business.—*William Hill*, Stretford, near Manchester, out of business.—*James Ainsworth*, Liverpool, porter.—*Benjamin Fielding*, Middleton, out of business.—*Henry Fisher Lonsdale*, Salford, out of business.—*Richard Worthington*, Preston, licensed victualler.—*Ralph Robinson*, Salford, rent collector.—*Richard Coupe*, Wigan, ironfounder.—*Joseph Coupe*, Wigan, ironfounder.—*Thomas Hague*, Salford, cotton manufacturer.—*James Hague*, Salford, cotton manufacturer.—*James Holmes* the elder, Hulme, Manchester, assistant to a pork butcher.—*James Barnes*, Manchester, plasterer.—*David Worthington*, Salford, baker.—*Robert Runny Atkinson*, Manchester, out of business.—*Richard Whittaker*, Manchester, out of business.

At the County Court of Yorkshire, at YORK CASTLE,
May 26 at 10.

John Beecroft, Bradford, clerk to a timber merchant.—*G. Beecroft*, Bradford, out of business.—*James Bradbury*, Anstonley, near Huddersfield, out of business.—*John Bedford*, Warley, near Halifax, brewer.—*David Bryan*, Cottingham, near Hull, in no trade.—*Edw. Hincliffe*, Kirkgate, Wakefield, plumber.—*Isaac Howard*, Holme, near Holmfirth, cloth

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At the County Court of Warwickshire, at COVENTRY,
May 26 at 2.

Charles Grove, Birmingham, dealer in malt.—*Thos. Silk*, Nether Whitacre, licensed victualler.—*Thos. Cattell Wilcox*, Birmingham, commission agent.—*Richard Smith*, Bedworth, undertaker for the weaving of ribbons.

At the County Court of Devonshire, at EXETER, May 24 at 10.

John S. Skinner, Paignton, mason.—*Wm. Thos. Diddiscombe Farm*, Holcombe Rogus, farmer.

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MAY 17, 1851.

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LONDON, MAY 17, 1851.

THE case of *Small v. Gibson* (15 Jur., part 1, p. 325) is the decision of a Court of error upon the implied warranty of seaworthiness in a time policy of insurance. It is well established that such a warranty (as it may be called, though, in fact, it is rather a condition) exists both in time and voyage policies, but there has been some difficulty in determining the period at which the vessel must be seaworthy, so as to render the underwriter liable. With respect to a policy on a voyage, the warranty is, that the vessel is seaworthy at the commencement of the risk—that is, at a port, where the insurance is “at and from” a port; but at the beginning of the voyage, when the insurance is “from” a port. Such a warranty is highly reasonable in the case of a voyage policy, where the assured knows the situation of his ship, and is capable, by himself or his agents, of performing the condition, by putting the ship into a state of proper repair and fitness for the voyage; and it is also salutary, for it imposes upon him the obligation of having the vessel in every respect in a seaworthy state. (See the judgment in *Small v. Gibson*).

It is, however, a different question, whether, in a time policy, the law implies a condition that the ship should be seaworthy at the commencement of the risk—that is, at the commencement of the term. This period is irrespective of the commencement of the voyage, or the preparation for it, or the place where the ship may happen to be. The Court below, in the above case of *Small v. Gibson*, (14 Jur., part 1, p. 368), held, that there was no distinction in this respect between time and voyage policies. Coleridge, J., in delivering the judgment of the Court, said—“The doubt has arisen from the supposed difficulty of applying the rule of such an implied warranty to the case of a time policy, where it may be quite uncertain upon what service the vessel may be

employed, or in what state she may be, when the risk begins. The vessel, at the time the risk attaches, may be actually on a voyage, for which she was perfectly seaworthy when the voyage commenced, but may, by perils of the sea, have been, whilst upon her voyage, reduced to such a state as to be unseaworthy when the risk attached; and it is said, that to apply the rule of implied warranty to such a case would be an extension of the rule as to the warranty, which is satisfied if the vessel was seaworthy at the commencement of the voyage upon which she was engaged at the time the risk attached.” The learned judge then referred to *Hollingworth v. Brodrick* (7 Ad. & El. 40) and *Sadler v. Dixon*, in error, (8 M. & W. 895), adding, in reference to the latter, “Since this decision, which is the leading authority in our courts upon the subject, it may be considered settled that the implied warranty extends to time as well as to other policies, and that the period to which the warranty applies is that when the risk attaches.” The above judgment of the Court of Queen's Bench, however, was reversed by the Court of error, which decided, that in a time policy there is not an implied warranty of seaworthiness at the commencement of the risk—that is, of the term of insurance—wherever the vessel may happen to be, and in whatever circumstances she may be placed. The Court were of opinion that the warranty in such cases is to be determined by the situation in which the ship may be at the commencement of the term of insurance; and that is, that the ship is or shall be seaworthy for the voyage, if she be then about to sail on a voyage; if in port, that she is in proper condition for such a port; if at sea, that she was seaworthy when the voyage commenced. “In the case of a time policy,” said Parke, B., delivering the judgment of the Court, “the assured does not necessarily know the condition of the ship at the commencement of the term. She may be at sea in a good or bad condition, and if at sea,

no care or expense on the part of the assured or the agent can secure her being seaworthy then. The sudden loss of a yard, or sail, or rudder, might have taken place without the possibility of the assured being able to replace it; she might have met with damage by the sea which it would have been impossible to repair; she might have lost two or three of her crew by a malignant fever—circumstances which render it essentially different from the cases of an insurance on a voyage, when it is always competent for an assured or his agent to put the vessel into a seaworthy state when the policy attaches." The Court, however, intimated their opinion, that even in a time policy the warranty might exist at the commencement of the risk, if it then lay in the power of the assured to render the vessel seaworthy; so that if the ship had met with damage before, and could have been repaired by the exercise of reasonable pains, and was not, the policy would not attach. So, if any one were to effect an insurance on a vessel, knowing that she was on a voyage, and was in an unseaworthy state at the commencement of it, the policy would be void, because of the concealment of a material fact. In the above case the Court also decided that a ship is seaworthy within the meaning of a policy of insurance, although she may not at the time be fit for sea navigation, if she be in a proper state to meet the perils of her then existing situation, whether in a river, port, or dock.

The important case of *Knight and Others v. Faith and Others* (14 Jur., part 1, p. 1114) should be noticed here. The Court there held, first, that, under a time policy, a claim for partial loss, occasioned by a peril insured against during the continuance of the risk, may be recovered, although the extent of the damage done to the ship be not ascertained until after the expiration of the time insured against; secondly, that a total loss, for which the insurers are not liable, following a partial loss occasioned by the perils insured against, has not the effect of exempting the insurers from liability for such partial loss, where it continues prejudicial to the assured; and, thirdly, that to entitle the assured to recover as for a constructive total loss, where no such urgent necessity is shewn as rendered a sale of the ship by the master valid as against the insurers, there must have been due notice of abandonment to the insurers. The question of partial or total loss was also considered in the recent cases of *Navone v. Haddon*, (19 L. J., C. P., 161); *Moss v. Smith*, (14 Jur., part 1, p. 1008); and *Chapman v. Benson*, (13 Jur., part 1, p. 96).

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—John Harward, of Stourbridge, Worcestershire, in and for the county of Worcester, also in and for the counties of Stafford and Salop; Lindsey William Winterbotham, of Stroud, Gloucestershire, in and for the county of Gloucester; George Lewis Phipps Eyre, of John-street, Bedford-row, Middlesex, in and for the city of London; also in and for the city and liberties of Westminster; and also in and for the counties of Middlesex, Essex, Kent, and Surrey.

OF INJUNCTIONS AGAINST CORPORATIONS AND ASSOCIATIONS WHOSE MEMBERS ARE VERY NUMEROUS.

THE first difficulty in the case of a dispute respecting associations or corporations consisting of a large number of persons was to permit a suit in Chancery to be instituted between a few only of the members, in the absence of the rest. (See 15 Jur., part 2, p. 130).

One of the cases in which this form of suit is allowed is where the directors of the company are acting in some manner which a majority of the members could not authorise, and the object of the suit is to restrain such unlawful proceedings.

The state of the law on this point is a matter of personal interest to every shareholder in every company; but from the occurrences which so often happen, it must be assumed that the generality of shareholders are but imperfectly acquainted with their rights in such cases.

Formerly a partner could not obtain the assistance of the Court of Chancery to restrain his co-partners from an unlawful dealing with the partnership property, without instituting a suit in Chancery for the dissolution of the partnership, and making all the members of the partnership parties to such suit. Now this rule has been deliberately altered in the case of companies consisting of a large number of members; and it is settled beyond dispute that a single dissentient member of such a company may obtain an injunction to restrain illegal dealing with the partnership property, even though the object of such dealing should be of manifest advantage to the company, (*Munt v. The Shrewsbury and Chester Railway Company*, 15 Jur., part 1, p. 26), and all the other members assent to it. (*Ward v. The Society of Attornies*, 1 Coll. 370).

The machinery for this purpose is a bill in Chancery by the dissentient member, as plaintiff, on behalf of himself and all the other members, except the defendants, against the directors or others who are committing the acts complained of, as defendants; or, where the company is incorporated, against the directors, and also against the company by its corporate name, as defendants, praying an injunction to restrain the illegal acts, but such bill must not pray for the dissolution of the company. Where the company is incorporated, it should seem the plaintiff may sue on his own behalf alone, and need not sue on behalf of his co-members, as in this case they are represented by the corporation. (*Ware v. The Grand Junction Waterworks Company*, 2 Russ. & M. 470).

But the injunction will not be granted unless the act is such as could not be done without the consent of every member of the company.

The question, what acts require such consent, can only be answered, in many cases, after careful consideration of the objects of the company, and the provisions of its deed of settlement or act of incorporation; in others, grave considerations of public policy are likely to be involved, as the law in this respect receives further development.

One of the earliest cases in which the point was raised related to a company not incorporated, called the Alliance Assurance Company, which was formed for the purpose of assurances, not including marine assurance. A majority of the members wished to extend its objects to effecting marine assurances. One member objected, and the company offered to return him his capital. He declined to withdraw, and filed his bill, on behalf of himself and all other the shareholders, praying for a dissolution of the company and a receiver, and also for an injunction to restrain the president and directors of the company, who were defendants, and the clerks,

agents, and servants of the company, from effecting marine assurances, and from applying the funds of the company to such purpose. On motion, with notice, the injunction was granted, until answer or further order, in the terms of the prayer. (*Natusch v. Irving*, 2 C. P. Coop., N. S., 358).

An obvious remark that must be made upon this case is, that though the bill prayed a dissolution, all the members of the company were not parties to the suit; but it does not appear that an objection was taken on this ground. We have shewn that such an objection would be fatal, and that in the more recent cases the difficulty has been avoided, by permitting the suit to be instituted for the limited purpose of restraining an improper use of the funds, without seeking to dissolve the company.

In one of these later cases, a railway company was restrained from applying capital, raised for a particular purpose under a special act, to a different object. (*Bagshaw v. The Eastern Union Railway Company*, 14 Jur., part 1, p. 491).

So a company was restrained from applying the funds to make part only of the projected line of railway, on the ground that the contract with the public to make the whole line was, a fortiori, a contract with the shareholders. (*Cohen v. Wilkinson*, 1 Mac. & G. 481; *Hodgson v. Earl Powis*, 12 Beav. 392).

This restraint was also exercised where a railway company proposed to guarantee certain profits, and to secure the capital of an intended steam packet company which was to act in connexion with the railway. (*Colman v. The Eastern Counties Railway Company*, 10 Beav. 1).

And in another similar case, a railway company was restrained from applying its funds to obtain an act of Parliament to authorise the improvement of the navigation of a river which was important to the traffic of the line, although it was deteriorating every year, and would get worse and worse, until all the profits were cut off. (*Munt v. The Shrewsbury and Chester Railway Company*, 15 Jur., part 1, p. 26).

The last case introduces us to a class of decisions of more questionable expediency, viz. those in which companies have been restrained from applying their funds to obtain acts of Parliament to legalise unauthorised proceedings actually taken or projected. (See *The Attorney-General v. Andrews*, 2 Mac. & G. 225). If any member of the company have a reason for opposing the passing of such an act, the proper occasion for doing so would seem to be before the committees of either House of Parliament appointed to consider the bill. (*Wers v. The Grand Junction Waterworks Company*, 2 Russ. & M. 470).

It is said, however, that when the company is incorporated, and assents to or promotes the bill, its members will not be heard to oppose the bill in committee; and this being represented to Knight Bruce, V. C., his Honor seems to have thought that circumstance might be a ground for interfering, but he refused to prevent the application to Parliament, on an undertaking being given by the company that the plaintiffs should be allowed to appear and oppose the bill when committed. (*Parter v. The River Dunn Navigation Company*, 1 De G. & S. 192).

However, this precedent has not been followed to the full extent. Notwithstanding a similar undertaking, Lord Langdale, M. R., restrained a company from applying its funds to obtain an act of Parliament, though he refused to extend the injunction to prevent the use of the company's name, seal, or credit for that purpose, in consideration of the undertaking given by them. (*Stevens v. The South Devon Railway Company*, 15 Jur., part 1, p. 235).

The case of *Munt v. The Shrewsbury and Chester Railway Company* (ubi sup.) suggests a state of cir-

cumstances in which this rule must either be nugatory or injurious. Where, without their fault, a company see their profits falling off, day by day, from natural causes, which they have no power to remedy, it is essentially necessary for them to obtain such power. In a large body some members will, doubtless, object, and they may sue out an injunction to prevent the use of the company's funds in procuring the requisite act of Parliament.

In such case one of two courses is open to the company—either to submit to inevitable injury, or, by the aid of borrowed funds, to obtain the necessary act, with a clause therein authorising the payment of its expenses out of their original capital, which would render the previous injunction simply absurd.

The injunction, to be of any real force, in all cases, should restrain the application to Parliament altogether—a jurisdiction, we submit, of very doubtful legality, if not as infringing on the privileges of Parliament, at any rate as depriving companies of the last resource in cases of otherwise inextricable difficulty, (see *Heathcote v. The North Staffordshire Railway Company*, 2 Mac. & G. 100); or, which seems the more reasonable proceeding, the injunction should be refused whenever the plaintiff seeking it has a locus standi before the committees of both Houses to oppose the bill.

The middle course, taken in *Stevens v. The South Devon Railway Company*, seems incapable of being supported on principle. The ground on which the injunction is granted is a supposed contract by the company with the shareholders to employ the subscribed capital for certain purposes only. If there be any such contract, it must extend to the use of the name, seal, and credit of the company, or we are reduced to the absurd supposition, that the capital of the company may be applied to one purpose, and the name, seal, and credit to another, or any other whatever. This was admitted, in fact, in the case itself, for the injunction was not extended to the use of the name, seal, and credit of the company, only because of the undertaking which was given, and, but for that undertaking, we must suppose that the injunction would have restrained the use of the company's name, seal, and credit, as well as its funds. But it is evident that even this distinction is a departure from the principle on which this relief is granted. We submit, that the name, seal, and credit of the company are as much bound by the contract between the company and the shareholders as the funds are; and that, in any case in which the company are enjoined from using these last for any purpose, the like restraint should be put upon the use of the others. Perhaps the wisest, certainly the more consistent, course in the case under consideration would have been, following the example of Knight Bruce, V. C., to have refused the injunction as to the application of the company's funds, as well as its name and seal, on an undertaking by the defendants that the plaintiff should be allowed to oppose the bill before the committees of Parliament.

E. E. K.

EFFECT OF AN UNREGISTERED JUDGMENT ON LANDS IN A REGISTER COUNTY.

THE stat. 6 Ann. c. 35, which established a registry of conveyances, wills, and incumbrances affecting lands in the East Riding, has, like the other register acts, the following provision for the registry of judgments, (sect. 19):—

“That no judgment, statute, or recognisance, (other than such as shall be entered into in the name and upon the proper account of her Majesty, her heirs and successors), which shall be obtained or entered into after the 29th day of September, 1768, shall bind or affect

any honours, manors, lands, tenements, or hereditaments, situate, lying, and being in the said East Riding, or in the said town and county of the town of Kingston-upon-Hull, but only from the time that a memorial of such judgment, statute, or recognisance shall be entered at the said register office, expressing and containing" &c.

The provision as to an unregistered conveyance is, that it shall be "adjudged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration," whose conveyance is first registered.

Notwithstanding the enactment as to conveyances, it is settled, that a purchaser is bound in equity by a prior unregistered conveyance, of which he had actual notice; (*Blades v. Blades*, 1 Eq. Ab. 358; *Le Neve v. Le Neve*, 3 Atk. 646; *Forbes v. Deniston*, 4 Bro. P. C. 189); and it has also been held, that the enactment that no unregistered judgment shall bind or affect any lands, &c. in the register county, does not prevent an unregistered judgment from charging the debtor's land in the hands of a purchaser with notice. (*Tunstall v. Trappes*, 3 Sim. 301; see *Davis v. Strathmore*, 16 Ves. 427). These decisions were founded on the expressed object and scope of the acts of Parliament, which were passed solely for the purpose of remedying frauds committed by "secret conveyances and fraudulent incumbrances."

In the case of *Johnson v. Holdsworth*, (15 Jur., part 1, p. 31), however, Lord Cranworth, V. C., decided that in a claim by a judgment creditor, whose judgment had been duly registered in the Common Pleas and also in the local registry, for the foreclosure of lands in the East Riding, a subsequent judgment creditor, whose judgment had been registered in the Common Pleas, but not in the county registry, was not a necessary party. His Lordship said, "The statute of Anne says that no judgment shall affect any lands but from the time that a memorial of such judgment shall be registered; therefore, before registration, the judgment creditor has no right, legally or equitably. But then it is said, that, in equity, notice puts all parties in the same position as if their incumbrances had been registered. But I think that is stating the proposition far too broadly. The rule of equity is, that where a purchaser has paid his money with notice of an unregistered incumbrance, he shall not shelter himself behind an act which was made to protect parties without notice. Whether these decisions were originally within the spirit of the Registration Acts I do not now stop to inquire. It is certain that a mortgagor, filing his bill to redeem, is bound, for the security of the mortgagee, to bring before the Court all parties who might call for redemption—that is to say, second mortgagees and subsequent incumbrancers. But in register counties an unregistered incumbrancer is not an incumbrancer either at law or in equity, though equity may give him the same rights as if he were an incumbrancer. This principle has obviously no application to the principle which compels a mortgagor, filing a bill to redeem, to bring the subsequent incumbrancers before the Court; therefore, on the law as it stood before the act 1 & 2 Vict. c. 110, I think unregistered incumbrancers were not necessary parties to a suit to redeem." His Lordship then proceeded to shew that the stat. 1 & 2 Vict. c. 110, could not have been intended to repeal the provisions in the local acts for the registry of judgments.

We are at a loss to understand the reasoning on which this decision was founded. His Lordship did not deny the general principle, that an incumbrancer seeking to foreclose must have before the Court all persons having any interest in the equity of redemption; and he admits that an unregistered incumbrancer may, as against parties with notice, have the same rights as if he had registered. We conceive that these concessions are conclusive against the propriety of the

decision. As against the debtor himself, and parties claiming under him with notice, it is admitted that the unregistered judgment creditor has an equitable charge on the estate; for though his Lordship says that an unregistered incumbrancer is no incumbrancer, he admits that he may have the rights of an incumbrancer. The right of being joined in a foreclosure suit is one of those rights. If a person have the rights of an incumbrancer it seems to be mere curiosity to inquire whether he ought to be called an incumbrancer. His Lordship does not deny the authority of *Tunstall v. Trappes*, but, on the contrary, adopts the principle of that case, and says, "The rule of equity is, that where a purchaser has paid his money with notice of an unregistered incumbrance [judgment], he shall not shelter himself behind an act which was made to protect parties without notice." Shelter himself against what, if the judgment was inoperative on the land? The question in *Johnson v. Holdsworth* was one with which the policy of the Registry Acts had nothing to do—it was not a question of priorities among purchasers or incumbrancers, but simply the question, whether a judgment creditor, whose judgment is a lien on the equity of redemption, is not entitled to redeem prior incumbrances. We submit that he clearly is entitled to redeem, and therefore ought not to be foreclosed without being heard.

G. S.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S-INN.—W. D. C. Moneypenny, Esq.; C. W. Burton, Esq., B.A.; J. H. Jenkins, Esq., M.A.; J. Caldecott, Esq., M.A.; C. B. Russell, Esq.; Thomas W. Wigglesworth, Esq., M.A.; H. R. Farrer, Esq.; T. P. Beckwith, Esq.; T. Filgate, Esq.; F. W. Bush, Esq., M.A.; H. Wilbraham, Esq., M.A.; J. W. Langworthy, Esq.; J. G. Mayo, Esq.; F. S. Reilly, Esq., M.A.; J. N. Higgins, Esq., B.A.; F. H. Appach, Esq., M.A.

MIDDLE TEMPLE.—Alexander Daune, Esq.; John Raymond, Esq.; Thomas Geary, Esq.; Joseph Shipton, Esq.; Joseph Kerr, Esq.

INNER TEMPLE.—J. H. Miller, Esq., M.A.; W. Stuart, Esq.; J. P. Peachey, Esq.; J. Pearce, Esq., B.A.; T. H. Markham, Esq., B.A.; J. F. Campbell, Esq.; Arthur Codd, Esq., B.A.; Roger Fenton, Esq., B.A.

GRAY'S-INN.—William Vesey Langdale Simons, Esq.; Henry Collingwood Selby, Esq.; William Furner, Esq.

London Gazette.

TUESDAY, MAY 13.

BANKRUPTS.

ALEXANDER WOODS, Great Yarmouth, Norfolk, money scrivener, bill broker, commission agent, dealer and chapman, May 22 at half-past 1, and June 26 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Reynolds & Palmer, Yarmouth; Lawrence & Co., Frederick's-place, Old Jewry.—Petition filed May 5.

JOHN HETHERINGTON, High Holborn, Middlesex, grocer and tea dealer, May 22 at 1, and June 27 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lacey & Co., 28, New Bridge-street, Blackfriars.—Petition dated May 8.

THOMAS HUMPAGE BUTLER, Lichfield, ironmonger, dealer and chapman, May 22 and June 19 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Eggington, Lichfield; Smith, Birmingham.—Petition dated May 7.

JOHN HARRIS, Buckingham, boot and shoe maker, May 21 and June 24 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Risley, 20, Mecklenburgh-square, London.—Petition filed May 10.

DAVID MAGRATH, George's-row, City-road, Middlesex, colour manufacturer, May 24 at 12, and June 23 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Condy, 13, Gray's-inn-square.—Petition dated May 9.

JOHN BANNISTER, Birmingham, general hardware dealer, dealer and chapman, May 26 and June 23 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Smith, Birmingham.—Petition dated May 8.

CATHERINE LAWES, Chippenham, Wiltshire, innkeeper, May 26 and June 23 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Castle & Henderson, and Hippisley, Bristol.—Petition filed May 2.

JAMES RADLEY, Oldham, Lancashire, cotton spinner, May 24 and June 21 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Cobbett, Manchester.—Petition filed May 8.

MEETINGS.

Caleb Beane, Merthyr Tydvil, Glamorganshire, ironmonger, May 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Nicholas Marquand*, Treforest, Glamorganshire, draper, June 6 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Edward Gerlach*, Newcastle-upon-Tyne, merchant, June 4 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 5 at 2, fin. div.—*Robert Fairley*, Sunderland, Durham, chemist, June 4 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; June 5 at 11, fin. div.—*George Hall* and *Francis Skelton Fell*, Tynemouth, Northumberland, timber merchants, June 4 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; at 12, div.—*William Atkinson* the younger, Goole, Yorkshire, shipwright, May 26 at 11, District Court of Bankruptcy, Leeds, aud. ac.; June 3 at 11, div.—*Thomas Matthews*, Kenilworth, Warwickshire, licensed victualler, May 26 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Robert Bruin*, Blaby, Leicestershire, baker, May 30 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Edward Durrant Bunker*, Piccadilly, Middlesex, coach builder, June 3 at half-past 11, Court of Bankruptcy, London, div.—*James Loneragan*, Cambridge-terrace, Lower-road, Islington, Middlesex, corn dealer, June 6 at half-past 12, Court of Bankruptcy, London, div.—*Colin Robertson*, *Duncan David Milligan*, and *Robert Milligan Dalzell*, Lime-street-square, London, merchants, June 6 at 1, Court of Bankruptcy, London, div.—*Simon Maurice Bethman*, Turrowheel-lane, Cannon-street, London, merchant, June 2 at 11, Court of Bankruptcy, London, fin. div.—*William Morrison*, Fenchurch-street, London, stationer, June 2 at half-past 11, Court of Bankruptcy, London, fin. div.—*William Taylor*, Newcastle-upon-Tyne, auctioneer, June 5 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—*Henry Drake*, Barnstaple, Devonshire, attorney at law, June 4 at 11, District Court of Bankruptcy, Exeter, div.—*Wm. Medland*, St. Austell, Cornwall, common brewer, June 4 at 11, District Court of Bankruptcy, Exeter, div.—*T. Luckes*, Exeter, provision dealer, June 4 at 11, District Court of Bankruptcy, Exeter, div.—*H. Riddale* and *H. C. S. Chauncy*, Liverpool, sharebrokers, June 6 at 11, District Court of Bankruptcy, Liverpool, div.—*John Sankey*, Birkenhead, Cheshire, blacksmith, June 6 at 11, District Court of Bankruptcy, Liverpool, div.—*J. D. Harwood*, Liverpool, ironmonger, June 6 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

J. Barugh, High Holborn, Middlesex, oil and colour man, June 4 at 1, Court of Bankruptcy, London.—*Wm. Tennant*, Chertsey, Surrey, draper, June 4 at 12, Court of Bankruptcy, London.—*Robt. Westmacott*, Stuart's Grove Nursery, Fulham-road, Chelsea, Middlesex, seedsman, June 6 at 1, Court of Bankruptcy, London.—*Rich. Peacock*, Ladbroke-grove, Notting-hill, Middlesex, plumber, June 3 at 12, Court of Bankruptcy, London.—*James Bishop*, Upper James-street, Camden-town, Middlesex, laceman, June 6 at 12, Court of Bankruptcy, London.—*Wm. Bilby*, Essex-place, Grange-rd., Dalston, Middlesex, warehouseman, June 5 at 11, Court of Bankruptcy, London.—*Henry Hunt*, Kingston-upon-Hull,

merchant, June 4 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*John Suker* and *Henry Suker*, Birkenhead, Cheshire, carpet dealers, June 5 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Luke Wanless, North Hall, Bishopwearmouth, Durham, shipowner.—*F. Alderton*, Manningtree, Essex, coach builder.—*James Hill*, Durham, grocer.

SCOTCH SEQUESTRATIONS.

Samuel Thom, Edinburgh, provision merchant.—*A. Shaw*, Glasgow, fisher.—*Robert Watson*, deceased, Cumbernauld, Dumbartonshire, merchant.—*Thomas Baird*, Bedlay, Lanarkshire, carter.—*John O'Neill*, Dumbarton, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Geo. F. W. Garland, Newport, Monmouthshire, baker, May 20 at 12, County Court of Monmouthshire, at Newport.—*James Cooper*, Nottingham, cabinet maker, June 5 at 1, County Court of Nottinghamshire, at Nottingham.—*John Jones*, Coventry, Warwickshire, watchmaker, May 26 at 2, County Court of Warwickshire, at Coventry.—*Wm. Lewis*, Meriden, Warwickshire, maltster, May 26 at 2, County Court of Warwickshire, at Coventry.—*Wm. Stafford*, Coventry, Warwickshire, licensed victualler, May 26 at 2, County Court of Warwickshire, at Coventry.—*George Hawn*, Coventry, Warwickshire, shopkeeper, May 26 at 2, County Court of Warwickshire, at Coventry.—*Charles Green*, Coventry, Warwickshire, warehouseman, May 26 at 2, County Court of Warwickshire, at Coventry.—*Wm. Rogers*, Denbigh, hairdresser, June 12 at 11, County Court of Denbighshire, at Denbigh.—*Richard Hodges*, Tredegar, Monmouthshire, dealer in china, May 22 at 10, County Court of Monmouthshire, at Tredegar.—*Anne Parry*, Malpas, Monmouthshire, farmer, May 20 at 12, County Court of Monmouthshire, at Newport.—*S. R. Bosisto*, Abersychan, Trevechan, Monmouthshire, ironmonger, May 27 at 10, County Court of Monmouthshire, at Pontypool.—*Charles Bond*, Newport, Monmouthshire, carrier, May 20 at 12, County Court of Monmouthshire, at Newport.—*Chas. Scott*, Mansfield, Nottinghamshire, corn dealer, June 3 at 9, County Court of Nottinghamshire, at Mansfield.—*J. Harris*, Tredegar, Monmouthshire, tea dealer, May 22 at 10, County Court of Monmouthshire, at Tredegar.—*John Harris*, Yniscoy, Penteague, Monmouthshire, licensed retailer of beer, May 27 at 10, County Court of Monmouthshire, at Pontypool.—*George Mitchell*, Bristol, baker, June 18 at 11, County Court of Gloucestershire, at Bristol.—*Edward B. Rowland*, Bristol, optician, June 4 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Edwards*, Bristol, livery-stable keeper, May 28 at 11, County Court of Gloucestershire, at Bristol.—*Henry Skinner*, Tiverton, Devonshire, butcher, May 29 at 10, County Court of Devonshire, at Tiverton.—*Jonathan Knott* the younger, Lichfield, blacksmith, May 19 at 10, County Court of Staffordshire, at Lichfield.—*John Richards*, Bedworth, Warwickshire, ribbon manufacturer, May 29 at 10, County Court of Warwickshire, at Nuneaton.—*Tamerlane Bowen*, Dorking, Surrey, hatter, May 23 at 11, County Court of Surrey, at Dorking.—*Henry Linegar* the younger, Sutton, Abinger, Surrey, wheelwright, May 23 at 11, County Court of Surrey, at Dorking.—*George Freeman*, Cambridge, brazier, May 24 at 10, County Court of Cambridgeshire, at Cambridge.—*Abraham Cowlin*, Tiverton, Devonshire, shoemaker, May 29 at 10, County Court of Devonshire, at Tiverton.—*John Ladd*, Nacton, Suffolk, May 22 at 1, County Court of Suffolk, at Woodbridge.—*Benjamin Summers Bowyer*, Clare, Suffolk, blacksmith, May 27 at 3, County Court of Suffolk, at Haverhill.—*James Maud Thorburn*, Halifax, Yorkshire, tailor, May 30 at 10, County Court of Yorkshire, at Halifax.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 28 at 11, before the CHIEF COMMISSIONER.

Wm. Sloate, Caledonian-place, Caledonian-road, King's-cross, Middlesex, dealer in potatoes.

May 28 at 10, before Mr. Commissioner LAW.
Edgar P. Nunn, Ealing, Middlesex, out of employ.

Saturday, May 10.

The following Assignees have been appointed. Further particulars may be learned at the Office, in *Portugal-st.*, *Lincoln's-inn-fields*, on giving the Number of the Case.

W. J. Lawrence, Laxton-st., Bermondsey, Surrey, oilman, No. 62,002 T.; *Henry Hewett*, assignee.—*Robert Smith*, Somerset-place, Dalston, Middlesex, accountant, No. 62,177 T.; *Francis Watts*, assignee.—*John Dyne*, Shirley, Millbrook, Hampshire, builder, No. 68,449 C.; *John Arnold*, assignee.—*Margaret Parkes*, Rhyl, Flintshire, licensed victualler, No. 73,559 C.; *Wm. Walley*, assignee.—*Wm. Jewkes*, Dudley, Worcestershire, builder, No. 73,441 C.; *Wm. Thomas* the younger, assignee.—*Francis Stubbs*, Snainton, near Pickering, Yorkshire, farmer, No. 73,454 C.; *Robert Eden Wilson*, assignee.—*Henry Brotherton*, Bishop Auckland, Durham, grocer, No. 73,544 C.; *Edward T. Pease* and *Thomas Close*, assignees.

Saturday, May 10.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas King, Gravesend, Kent, attorney's clerk: in the Queen's Prison.—*John C. Catling*, Albion-road, Queen's-road, Dalston, Middlesex, surveyor: in the Debtors Prison for London and Middlesex.—*James Meadus*, Clyde-terrace, Copenhagen-st., Caledonian-road, Islington, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*James P. Munting*, Gray's-inn-lane, Holborn, Middlesex, furniture broker: in the Debtors Prison for London and Middlesex.—*Henry Boyd*, Arbour-square, Stepney, Middlesex, promoter of the Atlantic and Pacific Ship Canal Company: in the Debtors Prison for London and Middlesex.—*Frederick Aug. Dietrich*, Bennett-st., Stamford-st., Blackfriars-road, Surrey, hat manufacturer: in the Queen's Prison.—*James G. King*, Henry-place, Hoxton Old-town, Middlesex, accountant: in the Queen's Prison.—*John F. Archbold*, Gloucester-place, Portman-square, Middlesex, barrister-at-law: in the Queen's Prison.—*James Nisbet*, Morpeth-street, Bethnal-green, Middlesex, carpenter: in the Gaol of Horsemanor-lane.—*Joseph Fox*, Victoria-grove, Victoria-park, Middlesex, foreman to a timber merchant: in the Debtors Prison for London and Middlesex.—*John C. Wright*, Princess-road, Lambeth, Surrey, managing the business of a greengrocer: in the Debtors Prison for London and Middlesex.—*Moses Nathan*, St. George's-in-the-East, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Thomas Anderson*, Worksop, Nottinghamshire, carrier: in the Gaol of Nottingham.—*R. Baker*, Dalegate, Todmorden, Lancashire, blacksmith: in the Gaol of Lancaster.—*J. Barnes*, Manchester, painter: in the Gaol of Lancaster.—*Richard Cottingham*, Kirkdale, Liverpool, bookkeeper: in the Gaol of Lancaster.—*Daniel William Clark*, Southampton, Hampshire, victualler: in the Gaol of Southampton.—*Jos. Fletcher*, Elland-cum-Greetland, near Halifax, Yorkshire, woollen cloth manufacturer: in the Gaol of York.—*John Hallam*, Manchester, baker: in the Gaol of Lancaster.—*James Holmes*, Hulme, Manchester, assistant to a pork butcher: in the Gaol of Lancaster.—*James Hague*, Salford, Lancashire, cotton manufacturer: in the Gaol of Lancaster.—*Henry Fisher Lonsdale*, Salford, Lancashire, carrier: in the Gaol of Lancaster.—*John Porter*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Ralph Robinson*, Salford, Lancashire, rent collector: in the Gaol of Lancaster.—*Richd. Worthington*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Richard Whittaker*, Manchester, ironmonger: in the Gaol of Lancaster.—*Jeremiah Weddington*, Luddenden Foot Warley, near Halifax, Yorkshire, shoemaker: in the Gaol of York.—*Richd. Dickenson*, High Harrogate, near Knaresborough, Yorkshire, publican: in the Gaol of York.—*Benj. Fielding*, Middleton, Lancashire, joiner: in the Gaol of Lancaster.—*Geo. Hawkes*, Pershore, Worcestershire, innkeeper: in the Gaol of Gloucester.—*Wm. Jones Morgan*, Ruthin, Denbighshire, licensed victualler: in the Gaol of Ruthin.—*Wm. Hen. Parry*, Broadwell, near Chepstow, Monmouthshire, farm bailiff: in the Gaol of Monmouth.—*Saml. Rimell*, Upton, St. Leonard's, near Gloucester, innkeeper: in the Gaol of Gloucester.—*William Williams Smith*, Cambridge, conducting the business of a licensed victualler: in the

Gaol of Cambridge.—*John Cox White*, Neithrop, Oxfordshire, retailer of beer: in the Gaol of Oxford.—*Edward Williams*, Ruthin, Denbighshire, licensed victualler: in the Gaol of Ruthin.—*John Doughty*, Cambridge, licensed victualler: in the Gaol of Cambridge.—*Samuel Goddard*, Wisbech St. Peter, Isle of Ely, Cambridgeshire, bookseller: in the Gaol of Cambridge.—*J. F. Longland Maswell*, Thorney, Isle of Ely, Cambridgeshire, farmer: in the Gaol of Cambridge.—*Wm. Baldock*, Sneinton, Nottinghamshire, grocer: in the Gaol of Nottingham.—*Jos. Gilding*, Broughton, Lincolnshire, farmer: in the Gaol of Kingston-upon-Hull.—*James Smith*, Thundridge, Hertfordshire, miller: in the Gaol of Hertford.—*Arthur Conboy*, Hulme, Manchester, baker: in the Gaol of Manchester.—*John Robertshaw*, Manchester, clockmaker: in the Gaol of Manchester.—*Samuel John Tweddell*, Kingston-upon-Hull, chain manufacturer: in the Gaol of Kingston-upon-Hull.—*Susannah Jackson* the younger, Broad Oak, near Newnham, Gloucestershire, innkeeper: in the Gaol of Gloucester.—*Arabella Anne Mann*, Dover, Kent, out of business: in the Gaol of Dover.—*James Monk*, Grove, near Wantage, Berkshire, in no business: in the Gaol of Reading.—*Thomas Hague*, Salford, Lancashire, cotton manufacturer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in *Portugal-street*, to be examined and dealt with according to the Statute:—

May 27 at 11, before the CHIEF COMMISSIONER.

John Mitchell, Great Winchester-st., Old Broad-st., London, merchant's clerk.

May 29 at 11, before Mr. Commissioner PHILLIPS.

Edward Day, London-wall, London, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, May 29 at 10.

John Neems, Stroud, farmer.

At the County Court of Glamorganshire, at CARDIFF, June 11.

Charles Jones, Newport, brewer's traveller.

At the County Court of Kent, at DOVER, June 4 at 10.

Wm. Wagborne, Arbour-square, Stepney, Middlesex, out of employment.

At the County Court of Cambridgeshire, at CAMBRIDGE, May 24 at 10.

Wm. Williams Smith, Cambridge, out of business.—*John Doughty*, Cambridge, licensed victualler.

At the County Court of Oxfordshire, at OXFORD, May 27.

Thomas Greatbatch, Oxford, in no business.

At the County Court of Gloucestershire, at GLOUCESTER, May 29 at 10.

George Hawkes, Cheltenham, out of business.—*Samuel Rimell*, Upton, St. Leonard's, near Gloucester, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, June 5 at 9.

Thomas Anderson, Worksop, carrier.—*William Baldock*, Sneinton, near Nottingham, out of business.

At the County Court of Hertfordshire, at HERTFORD, May 29.

James Smith, Wadesmill, Thundridge, miller.

FRIDAY, MAY 16.

BANKRUPTS.

JOSEPH CERRITO, Mincing-lane, London, merchant and commission agent, May 27 at 2, and June 24 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Williams & Co., 3, Paper-buildings, Temple.—Petition filed March 1.

ALFRED TARRANT, High Holborn, Middlesex, bookbinder, May 28 and June 27 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Kingdon & Shephard, 16, Clifford's-inn.—Petition filed May 15.

WILLIAM HENRY AYLES, Rickmansworth, Hertfordshire, builder, May 30 at 11, and June 26 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Abbott & Co., New-inn, Strand.—Petition filed May 13.

SAMUEL GRINSTED, Brighton, Sussex, victualler, May 27 at 11, and June 26 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Bennett & Houseman, Brighton, Sussex; Rickards & Walker, 29, Lincoln's-inn-fields.—Petition filed May 13.

JOHN CLARK, Clarence-place, Camberwell, Surrey, auctioneer, dealer and chapman, May 22 at half-past 11, and June 27 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Guy & Reed, 8, Cannon-row, Westminster.—Petition dated May 12.

GEORGE DODSON, Neath, Glamorganshire, painter, June 3 and July 1 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Whittington & Gribble, Bristol; Sewell & Co., 51, Old Broad-street, London.—Petition filed April 29.

CHARLES BOND, Tiverton, near Bath, and Bath, Somersetshire, tanner, currier, dealer and chapman, May 27 at half-past 12, and June 24 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed May 14.

ARTHUR YOULE BARRETT, Horncastle, Lincolnshire, engineer, ironfounder, dealer and chapman, May 28 and June 25 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Dunning, Leeds.—Petition dated May 7.

JAMES HOLDEN, Salford, Lancashire, licensed victualler, dealer and chapman, June 2 and 23 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Taylor, Manchester.—Petition filed May 9.

MEETINGS.

Henry Williams and James Welch, Great Distaff-lane, London, and Mile-end, Middlesex, builders, May 26 at 12, Court of Bankruptcy, London, p. d. sep. est. of *Henry Williams*.—*Joseph Hinchcliffe Stevenson*, Sunderland, Durham, miller, June 17 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, p. d.—*Robert Andrew Taylor*, Dunston, Durham, Espom salts and colour manufacturer, June 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*William Parkinson*, Coppy Nook, Blackburn, Lancashire, cotton manufacturer and provision-shop keeper, June 2 at 12, District Court of Bankruptcy, Manchester, last ex.—*François Pantoleon Platy*, Broad-st.-buildings, London, merchant, May 27 at 11, Court of Bankruptcy, London, and ac.—*Wm. Busckle*, Pall-mall, Westminster, and Leadenhall-st., London, master mariner, May 27 at 12, Court of Bankruptcy, London, and ac.—*Henry Edward Thompson*, Long-acre, Middlesex, India rubber bath manufacturer, May 27 at 11, Court of Bankruptcy, London, and ac.—*Colin Robertson, Duncan David Milligan, and Robert Milligan Daiseil*, Lime-st.-square, London, merchants, May 29 at half-past 12, Court of Bankruptcy, London, and ac.—*Benj. Severn, Fredk. Benj. King, and John Severn*, Church-lane, Whitechapel, Middlesex, grocers, May 29 at half-past 12, Court of Bankruptcy, London, and ac. sep. est. of *F. B. King*.—*Andrew Bee*, Charlotte-st., Fitzroy-square, St. Pancras, Middlesex, turner, May 28 at 1, Court of Bankruptcy, London, and ac.—*J. Matts*, Edgeware-road, Middlesex, ironmonger, June 5 at 11, Court of Bankruptcy, London, and ac.—*Allen Colyer* the younger, Dover, Kent, jeweller, June 5 at 2, Court of Bankruptcy, London, and ac.—*Thomas Britten*, Suffolk-lane, Cannon-st., London, wine merchant, June 3 at 11, Court of Bankruptcy, London, and ac.—*John Shaw*, Studley-road, Clapham-road, Surrey, builder, June 12 at 11, Court of Bankruptcy, London, and ac.—*James Smith*, Darlington, Durham, shoemaker, June 4 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*Wm. Shaw and Samuel Shaw*, Upper Mill, and Grasscroft, Sedleworth, Yorkshire, timber merchants, June 3 at 12, District Court of Bankruptcy, Manchester, and ac. sep. est., and June 17 at 12, div. sep. est. of *Wm. Shaw*.—*Ebenezer Lake*, Okehampton, Devonshire, druggist, May 28 at 11, District Court of Bankruptcy, Exeter, and ac.—*Richard Gadsden*, Boughton Mills, Northamptonshire, miller, June 11 at 11, Court of Bankruptcy, London, div.—*John Bynner*, Oswestry, Shropshire, grocer, May 31 at 10, District Court of Bankruptcy, Birmingham, and ac.—*Richard Green* the younger, Brighton, Sussex, ironmonger, June 7 at 11, Court of Bankruptcy, London, div.—*John Voller*, Landport, Portsea, Southampton, builder, June 7 at 11, Court of Bankruptcy, London, div.—*John Lloyd*, New Oxford-street, Middlesex, boxer, June 7 at 12, Court of Bankruptcy, London, div.—

Field Dunn Barker, Cambridge, banker, June 12 at 2, Court of Bankruptcy, London, fin. div.—*Wm. Phillips*, St. Mary, Warwick, builder, May 31 at 10, District Court of Bankruptcy, Birmingham, and ac.; June 9 at 10, fin. div.—*Robert Wade*, Plymouth, Devonshire, grocer, June 19 at 11, District Court of Bankruptcy, Plymouth, div.—*Robert Armstrong*, Newcastle-upon-Tyne, shipwright, June 19 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Peter Wootton the elder and *Peter Wootton* the younger, Margate, Kent, grocers, June 7 at 11, Court of Bankruptcy, London.—*John Slater Marshall*, Goswell-road, Clerkenwell, Middlesex, boot and shoe dealer, June 7 at 12, Court of Bankruptcy, London.—*Robert Peach*, Thorney, Isle of Ely, Cambridgeshire, butcher, June 10 at 11, Court of Bankruptcy, London.—*Thomas Case*, South Kilworth, Leicestershire, innkeeper, June 12 at 12, District Court of Bankruptcy, Birmingham.—*Samuel Armstrong*, Bolton-le-Moors, Lancashire, glass dealer, June 17 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

James Hayward, Oxford-street, Whitechapel, Middlesex, watchmaker.—*John Murvella*, Colchester, Essex, bargewowner.—*Thomas Cox*, Cambridge, chemist.—*Frederick Mountford*, Greenwich, Kent, stationer.—*Ann Royston*, Chorlton-upon-Medlock, Manchester, brewer.

PARTNERSHIP DISSOLVED.

Robert C. Phillips and James Nurse, Weymouth, Dorsetshire, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Wm. Thompson, Athelstaneford, Haddingtonshire, grocer.—*Robert Dixon*, Crawfordjohn, Lanarkshire, carrier.—*Robt. Lays*, Aberdeen, cartwright.—*Thomas Oliver and Alexander Oliver*, Falkirk, seedsmen.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Holroyd, Rochdale, Lancashire, umbrella maker, June 5 at 12, County Court of Lancashire, at Rochdale.—*George Talbot*, Dunstable, Bedfordshire, bleacher, May 23 at 11, County Court of Bedfordshire, at Luton.—*Rich. Simons*, Toynton St. Peter's, Lincolnshire, farmer, June 4 at 10, County Court of Lincolnshire, at Spilaby.—*John B. Ablard*, Stickney, Lincolnshire, shoemaker, June 4 at 10, County Court of Lincolnshire, at Spilaby.—*Charles Buffon*, Halton Holegate, Lincolnshire, gardener, June 4 at 10, County Court of Lincolnshire, at Spilaby.—*James Martin* the younger, Birdwood, Chesham, Gloucestershire, blacksmith, June 26 at 10, County Court of Gloucestershire, at Gloucester.—*Richard Gibbins*, Gloucester, tailor, June 26 at 10, County Court of Gloucestershire, at Gloucester.—*George Mussons*, Newark-upon-Trent, Nottinghamshire, grocer, June 6 at 1, County Court of Nottinghamshire, at Newark.—*Thomas Bee*, Thorpe-on-the-Hill, Lincolnshire, joiner, June 2 at 10, County Court of Lincolnshire, at Lincoln.—*T. Wilkinson*, Ramabottom, Bury, Lancashire, engraver to calico printers, June 4 at 11, County Court of Lancashire, at Bury.—*James Pagett*, Wolverhampton, Staffordshire, out of business, May 27 at 12, County Court of Staffordshire, at Wolverhampton.—*Thomas Webb*, Bilston, Staffordshire, moulder, May 27 at 12, County Court of Staffordshire, at Wolverhampton.—*D. Power*, Walsall, Staffordshire, web maker, May 23 at 12, County Court of Staffordshire, at Walsall.—*James Mansell*, Liverpool, optician, May 22 at 9, County Court of Lancashire, at Liverpool.—*Thomas Garner*, Liverpool, currier, May 22 at 9, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

May 30 at 11, before the CHIEF COMMISSIONER.

J. Albon, Levington-buildings, City-road-gate, St. Luke's,

Middlesex, out of business.—*Susan Creech*, Lisson-grove, Middlesex, manager of a lodging-house.

May 30 at 10, before Mr. Commissioner LAW.

Thomas Wm. Piggott, Riley-street, Bermondsey, Surrey, hat manufacturer.

May 31 at 11, before Mr. Commissioner PHILLIPS.

Thomas D. Akers, Nassau-place, Commercial-road East, Middlesex, oil and colour man.—*John Edwards*, Munster-st., Regent's-park, Middlesex, out of employment.—*E. Nathan*, Jermyn-st., St. James's, Middlesex, keeper of coffee rooms.

June 2 at 11, before Mr. Commissioner PHILLIPS.

W. Gyde, Edmund-street, St. Pancras, Middlesex, grocer.—*James Back*, Union-street, Southwark, Surrey, butcher.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 30 at 11, before the CHIEF COMMISSIONER.

Thomas Showell, Goldington-terrace, Somers-town, Middlesex, foreman to a tailor.—*John Livingston*, Park-rd., New Peckham, Surrey, patentee for securing houses in Austria from destruction by fire.—*Robert Edward*, Leadenhall-street, London, tailor.

May 30 at 10, before Mr. Commissioner LAW.

Wm. Swalling, London-street, Greenwich, Kent, builder.—*John Clarke Culling*, Trafalgar-road, Dalston, Middlesex, surveyor.

May 31 at 11, before Mr. Commissioner PHILLIPS.

Robert M. Bowman, Belinda-terrace, Canonbury-square, Islington, Middlesex, wine merchant.

June 2 at 11, before the CHIEF COMMISSIONER.

H. A. Harding, Herbert-street, Great Cambridge-street, Hackney-road, Middlesex, sculptor.

June 2 at 10, before Mr. Commissioner LAW.

Henry M. Morton, Newgate-street, London, tobaccoist.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, May 31 at 10.

Wm. S. Codner, Dartmouth, linen-draper.—*Thos. Lethbridge*, Newton Bushell, Highweek, out of business.

At the County Court of Brecknockshire, at BRECKNOCK, June 6.

Thos. Powell, Builth, surgeon.—*Wm. Stephens*, Ystradgunlais, chemist.

INSOLVENT DEBTORS' DIVIDENDS.

William Hoare, Euston-square, Middlesex, lodging-house keeper: 2s. 8½d. in the pound.—*Fred. Horne*, Denmark-rd., Lambeth, Surrey, keeper of lunatics: 4s. 9½d. in the pound.—*Wm. Finlayson*, Salem-gardens, Bayswater, Middlesex, commander in the royal navy: 7d. in the pound.—*John Buttersworth*, Batley, near Dewsbury, Yorkshire, rag dealer: 4s. 2d. in the pound.—*Mark White*, deceased, Hastings, Sussex, captain in the royal navy: 3s. 6d. in the pound.—*David Terras*, Fieldgate-street, Whitechapel, Middlesex, coach-smith: 9½d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Edward Augustus Smith*, of Blandford, Dorsetshire; *William Pollock*, of Ayr, Scotland; *James Tree*, of Worcester; *Isaac Hall*, of Manchester; *John Estlin* the younger, of Nuneaton, Warwickshire.

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LONDON, MAY 24, 1851.

THE question whether, under the Copyright Act, 5 & 6 Vict. c. 45, which, among other things, declares the terms on which the copyright in contributions to periodicals shall vest in the proprietors of such periodicals, the price of the contributions must be actually paid to the writers before the copyright becomes vested in the proprietors, was raised in a very recent case, (*Richardson v. Gilbert*, 15 Jur., part 1, p. 389). The point is not expressly decided in that case, because, as will be seen by the report, the Court was of opinion that the fact of payment was sufficiently alleged and proved, and therefore it was immaterial to consider what would be the effect if it had not been sufficiently proved. But Lord Cranworth expressed the inclination of his opinion to be, that actual payment must take place to effect the vesting of the copyright in the proprietors. The same point was discussed, without being decided, in an earlier case, (*Brown v. Cooke*, 11 Jur., part 1, p. 77), before Sir L. Shadwell. In that case there was another difficulty, on which the Court refused to interfere till the right had been established at law, viz. that the proprietors claiming copyright did not pretend that the contract was direct between them and the actual writers, but that they employed and paid by a salary an editor, who, out of his salary, procured articles to be written. Whether he had actually paid for such as were printed, and were the subject of the claim, did not appear. There are no other cases upon the subject, and the question must, therefore, be considered as still undecided. The clause of the act under which it arises is worded in a singular and rather careless manner:—"If any publisher or any other person shall, before or at the time of the passing of this act, have projected, conducted, and carried on, or shall hereafter project, conduct, and carry on, or be the proprietor of any encyclopædia, review, magazine, periodical work, or work published in a series of books or parts, or any book whatsoever, and shall have employed or shall employ any persons to compose the same, or any volumes, parts, essays,

articles, or portions thereof, for publication in or as part of the same, and such work, volumes, parts, essays, articles, or portions shall have been or shall hereafter be composed, under such employment, on the terms that the copyright therein shall belong to such proprietor, projector, publisher, or conductor, and paid for by such proprietor, projector, publisher, or conductor, the copyright in every such encyclopædia, review, magazine, periodical work, and work published in a series of books or parts, and in every volume, part, essay, article, and portion so composed and paid for, shall be the property of such proprietor, projector, publisher, or other conductor, who shall enjoy the same rights as if he were the actual author thereof, and shall have such term of copyright therein as is given to the authors of books by this act, except only that in the case of essays, articles, or portions forming part of and first published in reviews, magazines, or other periodical works of a like nature, after the term of twenty-eight years from the first publication thereof respectively, the right of publishing the same in a separate form shall revert to the author for the remainder of the term given by this act."

The difficulty is, whether the act intended payment to be part only of the contract, so that a contract with a contributor, that he should write and be paid for it, would vest the copyright in the proprietor; or whether, in order to vest the copyright in the proprietor of the periodical, it is necessary not only that the writing should be done under a contract, but that it should have been followed by actual payment. There would be much doubt on the subject if the first or explanatory part only of the section were looked at, and if, in the words actually declaring in what things copyright shall vest, the act had merely referred to the "volumes, parts, articles," &c. antecedently spoken of. But the act says, that if "volumes, articles," &c. shall be composed for the proprietor of a periodical on certain terms, then, not that the copyright in those things shall vest, but the copyright "in every volume, &c. so composed and paid for." There is, therefore, no statutory declaration of copyright, except in regard to a

contribution composed on the terms antecedently mentioned, and paid for. The language of this part of the section is perfectly clear and precise, whatever may be thought of the preceding part, and seems to us to leave no room for doubting that both ingredients, viz. the contract and the payment, must exist in order to vest the copyright in the proprietor.

Whether the particular decision in *Richardson v. Gilbert* is sound, in regard to the sufficiency of the evidence, may be doubted. The bill and affidavits, according to the report, did not state, as separate allegations, the contract for the contributions in the terms of the statute, and that the plaintiffs were entitled to the copyright. If they had, it might, perhaps, have been said, that a distinct and separate allegation, that the plaintiffs were entitled, involved an allegation that they had paid, if payment is necessary to give title. But the bill alleged the contract only, viz. that the plaintiffs employed the writers to compose on the terms that the copyright should belong to the plaintiffs, and *should be paid for by them*; and that, *under the circumstances aforesaid*, they were entitled to the copyright. So that, so far from the bill by inference alleging payment, it alleged by inference the very contrary; because, alleging that there had been a contract to pay, it alleged title by force of that contract; and by implication, therefore, excluded from the allegation of title the notion that payment formed any part of its foundation. The allegation in the bill was, of course, a sufficient averment that the plaintiffs had done all that was required by the act of Parliament, to have let in evidence to prove the particulars of title. But the affidavits (according to the report) did not do so; they merely echoed the general allegation of title contained in the bill.

The cases of *Morris v. Kelly* (1 J. & W. 481) and *Colburn v. Duncombe*, (9 Sim. 151), which do not appear to have been cited in *Richardson v. Gilbert*, have a considerable bearing on the subject. In the former case, on an application for an injunction by persons who claimed as purchasers of a copyright, the bill not stating that there had been an assignment by the author in writing, (which was necessary to pass the copyright), Lord Eldon at first refused the injunction; afterwards he granted it, on an affidavit that the plaintiffs were unable to state whether there had been any assignment in writing by the author to their vendor, but swearing that their vendors had assigned by deed to them. On this Lord Eldon assumed the regularity of the title until the contrary should be shewn. In *Colburn v. Duncombe*, which was heard on demurrer, the plaintiff was also the purchaser of a copyright, and he had paid for it, and the author had agreed to assign it in writing when required to do so; it was not alleged that any assignment had actually been made, but the bill, after stating to the above effect, went on thus—"that after the plaintiff had purchased the copyright of the work as aforesaid, he caused the work to be printed under the title of 'A Diary,' &c.; and that the work so printed and published, and the copyright thereof, were then the sole and exclusive property of the plaintiff." The Court refused to treat this as a substantive independent allegation of legal title; and allowed a demurrer, on the ground that the author was not a party.

Reviews.

1. *Government by Commissions Illegal and Pernicious. The Nature and Effect of all Commissions of Inquiry and other Crown-appointed Commissions, &c.* By J. TOULMIN SMITH, Esq., of Lincoln's-inn, Barrister-at-Law. [S. Sweet, 1849.]
2. *Local Self-Government and Centralisation, including comprehensive Outlines of the English Constitution; with a copious Index.* By J. TOULMIN SMITH, Esq., Barrister-at-Law. [John Chapman, 1851.]

THE conclusion contended for with much learning and ability by Mr. Toulmin Smith, in the first of the above-named works, which was published two years ago, viz. the absolute illegality of Crown-appointed commissions, of whatever kind, has recently received a very strong confirmation by the written opinion of some of the first lawyers at present in England. Certain objections against the legality of the Oxford University Commission, now sitting, having been taken, counsel's opinion was requested; and of the opinion, dated "Lincoln's-inn, March 3, 1851," and signed

"G. J. TURNER,
"RICHARD BETHELL,
"HENRY S. KEATING,
"J. R. KENYON,"

the following is an extract:—

"Next, as to the constitutional and legal character of the commission. It purports to authorise an inquiry in order to the expression by the commissioners of an opinion only, not the adjudication of any disputed questions. The subjects of this inquiry, as regards the university apart from the colleges, are its rights, franchises, and property, and the conduct of its members—all of which are brought into question, not in the regular course of law, but without any accusation being stated or any accuser appearing, without there being any power to adjudicate upon and settle the questions which may be raised, and without any appeal from the commissioners' report, or any means of correcting inaccuracies in their representations.

"It may be said that the present commission differs from the ecclesiastical commissions above referred to, inasmuch as it directs inquiry only, whereas the former commissions directed the commissioners to hear and determine &c. But commissions for inquiry and discovery alone are illegal, because they put parties to answer otherwise than 'according to the old law of the land,' (see *Magna Charta*; 9 Hen. 3, c. 29; 25 Edw. 3, st. 5, c. 4; 42 Edw. 3, c. 3), and because, as Lord Coke writes, 'under them a man may be unjustly accused by false evidence, and he shall not have any remedy; a party may be defamed, and he shall not have any traverse to it.' (12 Co. 31, 64).

"Lord Bacon's argument, referred to in the case, that voluntary 'benevolences' might legally be solicited by the Crown, has long been exploded and condemned. The Crown and the subject are not on equal terms in such cases; and the Crown cannot constitutionally solicit against a subject that which it cannot command. And this principle seems especially true and reasonable as to an inquiry, in which the subject has not the safeguards or helps which the law gives for the investigation of truth, and where he has no remedy of appeal in case wrong conclusions are drawn. Many commissions for inquiry alone have issued in modern times, and have been generally submitted to; but none of them, so far as we are aware, have been tested in courts of justice. They have not, however, been invariably submitted to: for example, the Municipal Corporation Commission met unqualified and successful resistance

from the Merchant Tailors' Company in London, acting under the advice of Sir James Scarlett, Sir William Follett, and Mr. Rennell. Sir James Scarlett's very elaborate opinion on that commission may be found in the Annual Register for 1833, p. 158.

"The like argument from modern usage was urged in favour of additions made without authority of Parliament to ecclesiastical commissions, but it was refuted by Lord Coke, and rejected by him and all the judges. (See 12 Co. 83, and 4 Inst. 332)."

"Considering then that the object of this commission is inquiry alone, that it is not authorised by Parliament, that there is no precedent for such a commission as regards the university, and no judgment of any court of justice establishing any like commission; considering also the authorities of common law and of Parliament against such commissions, and that serious mischiefs may ensue from it, we are of opinion that this commission is not constitutional or legal, and that it is not such as the university or its members are bound to obey."

It was observed by a writer in a quarterly journal* which bore the same name as this, that towards the end of the last century the prejudices against some even good institutions, entertained by some of the wisest men of the time, were natural "in an age when all established institutions were in the very last stage of decay and decrepitude, preparatory to the catastrophe by which soon after they were swept away: when whatever was meant to transmit light had become a curtain to keep it out, and whatever was designed for the protection of society had turned itself to preying upon society: when every trust which had been reposed in individuals for the benefit of the species, had degenerated into a selfish job, and the canker had eaten so deeply into the heart of civilisation, that the greatest genius of his time deliberately preferred the condition of a naked savage."

The same remark will, in part at least, apply to the attacks made on what has received the name of "the common law of England," by men such as Jeremy Bentham, who not only sincerely desired the well-being of the community, but made no small sacrifices for the attainment of that object. What of the common law presented itself most obtrusively to their observation were rather its abuses than itself—abuses which, though profitable to a few, were extremely unprofitable and hurtful to all the rest of the community, and were ruinous to many. It was such a form of it, exhibited in such a stage of decay and decrepitude, as rendered its total sweeping away a measure naturally enough occurring to many minds as the only effectual remedy for the evil. Its machinery for the protection both of person and property appeared to have become almost, if not altogether, unfit for effective use. It had, as it appeared, grown either too rusty and too weak, or too rude and simple, or too rude and complex, for the wants of modern society. Its "guardians of the night" had all become Dogberries—its guardians of the poor had become something worse; and the language and form of its pleadings had degenerated greatly from their original compactness and simplicity. It was not surprising that from such an aspect of the institutions of the common law, men should turn to the idea of its utter annihilation, as at least something preferable to the evils they were enduring.

The writer in the Jurist already referred to, (who has since earned a great and just reputation as a profound philosophical writer), after mentioning the strong opinion of Turgot against foundations in general, goes on to say, "Notwithstanding our deep reverence for this illustrious man, and the great weight which is due to his opinion on all subjects which he had maturely

considered, we must regard his opinion on this subject as one of what it is now allowable to call the prejudices of his age." He afterwards adds, "The opinion of Turgot was sufficiently in accordance with the prevailing philosophy of his time. It is rare that the same heads and the same hands excel, both in pulling down and in building up. The work of urgency in those days was to make war against evil: this the philosophers did, and the negation of evil was nearly all the good which their philosophy provided for. They seem to have conceived the perfection of political society to be reached, if man could but be compelled to abstain from injuring man; not considering that men need help as well as forbearance, and that nature is, to the greater number, a severer taskmaster even than man is to man. They left each individual to fight his own battle against fate and necessity, with little aid from his fellow-men, save what he, of his own spontaneous seeking, might purchase in open market and pay for."

What is here so well said of Turgot, and the opinion of that time respecting the aid which man should derive from foundations, may be applied, with a little modification, to the opinion of Bentham and other law reformers, respecting the assistance which the common law of England, in its healthy and normal state, was admirably calculated to give, and did give, to human well-being and human progress.

Under these circumstances, a publication such as this of Mr. Toulmin Smith, on "Local Self-Government and Centralisation," which is written in the vigorous and unaffected style of a man thoroughly in earnest, and is evidently the result not only of profound legal learning, but of what is still better, of much practical knowledge of the working of the machinery of which he writes, is very opportune. For without saying that every one of our local institutions is to remain for ever in, or to be brought back to, the state in which it was in the time of Alfred, or even in that of Fortescue, it is pretty clear that we must set ourselves strenuously to resist the attempts of the modern Messrs. Empson & Dudley, to centralise us into Frederic the Second Prussians or Louis Philippe Frenchmen.

The subject is thus divided:—Chap. 1. The English Constitution. Chap. 2. Local Self-Government. Chap. 3. Centralisation. Chap. 4. The Representative System. Chap. 5. The Crown. Chap. 6. Common Law. Chap. 7. Statute Law. Chap. 8. Constitutional Safeguards. Chap. 9. Modern Law-making. Chap. 10. Delegated Legislation. Chap. 11. Right of Petition. Chap. 12. How may Freedom and Human Progress be most successfully attacked? Chap. 13. How may the Attacks of Despotism be most effectively resisted? Chap. 14. Practical Illustrations of the Progress of Centralisation in England. Chap. 15. Practical Forms of True Local Self-Government. Chap. 16. "Reform" Panaceas. Chap. 17. Practical Course of the True Friends of Freedom and Human Progress. Chap. 18. Trial by Jury. Chap. 19. Summary Jurisdiction. Chap. 20. Accusation and Judgment. Chap. 21. Commissions of Inquiry. Chap. 22. Law Reform. Chap. 23. Education. Chap. 24. Protestantism and Popery. Chap. 25. Public Health, &c. Chap. 26. Partnership and Communism. Chap. 27. Poor Law. Chap. 28. Police. Chap. 29. Standing Army and Militia. Chap. 30. Taxation. Chap. 31. Centralisation in Land. Conclusion.

The following extract is from the chapter headed "Practical Illustrations of the Progress of Centralisation in England:—"

"Yearly does this system" [under the Poor-law Amendment Act] "go stealthily creeping on with its 'usurped powers. Hardly a session passes without 'some smuggled act being passed to extend its usurpation. By an act passed in 1850, any little independence which was left to vestries is sought to be

* The Jurist of February, 1833. Article on "Corporation and Church Property."

'finally annihilated. Besides other contrivances for this purpose, it contains one set of such contrivances that, but for the modern plan of smuggling acts of Parliament, could hardly have passed even through a House of Commons, so flagrantly do they violate every principle of common law, common sense, and common honesty. It is expressly provided that the vestry clerk shall be the mere tool of the poor-law board, only removable by their consent; his salary to be fixed by them, (not by the parish which pays it), and his duties to be such as the board shall require!

"Later acts than even the Poor-law Amendment Act have sought to bring all local districts, with reference to all remaining matters, under centralised control. A machinery is contrived by which Crown-appointed inspectors are sent down to every place seeking to do any work of self-improvement, which Crown inspectors have the mission of getting up ex parte reports. The great end is, by means of these reports, to make out cases for centralised control, for the enforcement of procrustean schemes, and for the increase of functionarism. By a mere accident, one instance of the application of these devices became exposed in 1850, earlier than most of the evil works of centralisation. The suppression of evidence deliberately practised; the impertinent presumption of incapable but favour-appointed functionaries in pronouncing on the plans of the most accomplished engineers; the vexation, harassment, and cost—all which, with many others, are the necessary fruits of these devices—were proved before a committee of the House of Commons*. It were well that those exposures should be widely studied.

"Of this class of devices a striking example is afforded by the (so-called) 'Public Health Act' of 1848. This was, beyond question, a more extensive and fatal blow than had, up to the time of its passing, been given in England to the principles and practice of local self-government. No scheme more demoralising and mischievous, in every respect, was ever introduced by the enemies of human freedom and progress, under false pretences and by means of the 'cunning artifice of words.' The object and effects of that act are, to reduce all places into a state of abject subjection and subserviency; to impose upon them enormous and lasting burthens, which shall completely tie up their hands; to fasten a horde of functionaries upon the land; and to loosen all the foundations of law and property. To carry out results so desirable to the friends of centralisation, small cliques, whose subserviency is ensured, are erected in each place. In the formation of these cliques almost every disguise is thrown away. Of representation, election, or responsibility, there is not a shadow.

"In all these cases, and all the numberless other like cases that might be added, a practically unlimited control over taxation, as well as administration, is given to Crown-nominated, arbitrary, irresponsible, secret boards. In every case, without exception, the cost of management is enormously increased by inefficiently and mischievously pretending to do, through the instruments of centralisation and functionarism, that which would, at a very much less cost, be really and efficiently done under the system of local administration and local responsibility.

"While immense powers are thus intrusted to all these boards, affecting the weal or woe of every individual in the community, affecting taxation to an enormous amount, affecting all our most valuable in-

stitutions, the members of the boards and their emissaries—accusers and judges themselves in every case—remain utterly irresponsible. Nominated by the Crown, and not, as could be the only legal and justifiable course, (though, even so, full of mischief), by the nation, or by the parts affected, they neither acknowledge nor have any responsibility to the nation, or to any parts of it. The annual 'reports' which some of them lay before Parliament are mere matters of form, even were purely ex parte statements, as such must always be, worthy of any confidence. How the ostensible government of the day evades its legal responsibility by means of these boards has been already pointed out. Thus is responsibility shifted off every shoulder, and the fundamental laws and institutions of the land are daily violated with entire impunity: while place and patronage are on the rapid increase, jobbing flourishes in open vigour; and centralisation is spreading far and wide, and farther and wider its ever fatal influence.

"The indomitable energies of the people of England have enabled them to struggle against disadvantages of the heaviest weight. Channels have been continually found in which those energies have, for a time, been enabled to exert themselves, despite the spread of a system which has been shewn to fetter down and blight everything it touches. But never, of late years, has any one of these channels been opened long before the chilling finger of this system has been laid upon it. The numerous Excise Acts, the Ten Hours Act, the Public Health Act, the Buildings Acts, and numberless similar contrivances, are but illustrations of this unhappy truth. They are trammels contrived to bind down skill and enterprise, and all self-depending energies; and which are daily binding them down harder." (Pp. 206 et seq.)

On the subject of Local Acts the author says:—

"There is one form which modern law-making takes which needs remark. It is a form at once probably the most burdensome of any to members of Parliament, and one of the most pernicious in itself, while it is a wholly illegitimate field of parliamentary labour. It is the system of *local acts*.

"Under the name of Local Acts come several groups. There are railway acts, and others authorising public works. If these extend beyond the limits of any one institution of local self-government, and therefore beyond the sphere of the single local legislation of a borough or a shire, it is undoubtedly proper, that, after they have been laid before the institutions of local self-government whose localities they affect, (but not before), they be submitted to Parliament to adjust any differences which may have arisen between different interests.

"But, besides these, there are a mass of local acts which never ought to come near Parliament at all. All borough acts, and others of that class, come under this head. The effect of the present system is simply to enable a few projectors to smuggle an act through Parliament, practically unknown to the mass of the inhabitants, and without any real means being afforded to any among them either to discuss the merits of the proposal, or to protect any rights or properties which belong to them as individuals. Even if the fact of an application for a local act is known, the proposed details are not, in any case, known and understood by those whose interests they so nearly affect. At the same time, no real power of protest or appeal exists, the means of doing either before a parliamentary committee being so costly that the pretended opportunity amounts to a mere cruel mockery.

"But, in addition to this, the system of these local acts is but one form of centralisation. Every local act, as framed in modern times, amounts to a tying up the hands of institutions of local self-government.

* "See Report and Evidence of Committee on Local Acts, Preliminary Inquiries, 1850; especially Evidence, pp. 48, 49, 54, 55, &c.: and see 'Government by Commissions,' predicting all thus proved, pp. 229—234."

"The object of the latter is the having full legislative power in the hands of those concerned, so as to be able to regulate all contingencies as they arise. But, under modern local acts, town councils and local boards become little better than mere executive machines. All power of *adaptation* is taken away, which is the first element of local self-government; while the evil of foregone dogmatic arbitrary dictation is laid under without any power of remedy, except by again going to crave the aid of that same illegitimate authority, the first appeal to which was the beginning of the mischief." (Pp. 147, 148).

The following observations on the subject of Law Reform are, we think, very just, and go far towards the root of the matter:—

"Many professed 'inquiries' have been set afoot on various branches of law—criminal, civil, and practical. But in what manner have these been set afoot? In the first place, by a violation of the law itself, in the appointment of commissions of inquiry. In the second place, by the appointment of professional lawyers to the work. No doubt these have all been able men, and appointed from an idea of their fitness, as judged by the one or two who took upon themselves, illegally, to appoint them. But, unhappily, there is no profession so exclusive as the legal; there is none of which the pursuit is so completely treated by the world as a *terra incognita*. This fact itself lies very near the root of the whole mischief. Of all subjects that can be looked at, there is none which ought to be less a mystery than the law. What may be well in matters of trade or art, whose products can be supplied by the maker to the user, complete and ready for his use, cannot be so in the case of law. The law of a land is the code which is presumed to be the guide for the men of that land in their social relations. It is what every man is held bound by, and he can do no act which is not either protected by it, or a violation of it. Of the first importance is it, then, clearly, that the law should be in such a state as to be no craft, no mystery; needing no unapproachable priesthood set apart to expound or administer it, but open and plain to every man's comprehension; simple in its principles, and clear and unintricate in the modes of application of those principles. But most especially ought these to be the characteristics of the law in England, the fundamental principle of whose constitution is, that all law springs from the people, and must be administered by the people.

"There will always be some men more able than others to present, in logical form, and with due clearness and appropriateness, the points of an argument and case, and who, therefore, may justly obtain the truly honourable position of being especially the maintainers of the law, by helping to support the right with their advocacy, and to expose the wrong. But the position of such men can never, wholesomely to society, depend upon their keeping up the appearance of a craft or a mystery which the uninitiated cannot understand. It must, on the contrary, depend on the clearness with which they help to make understood what might otherwise be more or less intricate or obscure.

"Were there an earnest desire to grapple with the subject of Law Reform, the work would not then be begun by appointing men alone to any exploration upon it whose very calling lies in carrying on the vicious part—the mystery—of the law. However high-minded and honourable, there will be an insensible tendency in such men to do what will *keep the law a mystery*, whatever reform may be apparently accomplished. The true and only means to set to work will be to get together—in a parliamentary committee, for example—some men who have specially studied the principles of the constitution and the fun-

damentals of the common law; but, together with them, a greater number of plain, sound, clear-headed men, not lawyers by profession, but, as citizens, bound by the law, and bound to know it; and whose business in such a work it shall be to point out all that is to them intricate, incomprehensible, wrapped in mystery, pure jargon; and not to rest satisfied till it has been shewn how—if it have, under all its meaningless disguises, any true meaning at all—this can be reduced, both in dress and practice, to its original simplicity, in reference to the fundamental principle which it truly carries out.

"This may seem a hard task to set men to who have never studied the law. But the harder the task seems, just in that proportion is it the more needful that it should be undertaken. It is unhappy that the constitution of the country and the principles of law should be so little objects of general study as they are, being obviously some of the first things that every man should know. But this is, in itself, greatly owing to the mysterious guise the whole matter is made to put on. Certain it is that law reform will never be anything but a plaything so long as it is left to lawyers alone to devise and accomplish it." (Pp. 307—309).

A Summary of the Law as applied to the Rating of Railways and other Undertakings extending through several Parishes; with Notes of all the Cases hitherto decided by the Court of Queen's Bench on the Subject of Railway Rating, and some Observations on the Practical Mode of Assessing a Railway. By HENRY JOHN HODGSON, Esq., of Lincoln's-inn, Barrister at Law, Recorder of Ludlow. [Stevens & Norton, 1851.]

THE rating of railways has been found to be a matter of some difficulty, for several reasons: first, one line of railway extends in its course through many parishes, and it is therefore necessary to apportion the earnings and expenditure over distinct parts of the line; next, different scales of allowance for expenses have been admitted by different courts of quarter sessions; and further, railway companies, like other corporate, and indeed unincorporated bodies, are very unwilling to expose their accounts to the investigation of overseers. The selection of the mileage or earnings principle of apportionment has also been frequently mooted, and found advocates on both sides.

"The mileage principle is, to estimate the total rateable value as if the whole subject-matter were comprised in a single parish, and then to distribute it among the different parishes, in proportion to the quantity of land occupied in every one of these parishes respectively. Expressed arithmetically, it would stand thus—as, the total rateable value of the railway : the total length of line :: the rateable value in parish A. : length of line in parish A. The other method (parochial earnings) is, to distribute the whole rateable value among the several parishes in proportion to the profits earned in each of them respectively, thus—as, the total rateable value of the railway : the whole profits earned throughout :: the rateable value in parish A. : profits earned in parish A." (Pp. 15, 16).

The importance of the subject is great, and the interest felt in it general, as most persons at the present day fall under the category of shareholders in railways, or of ratepayers, or of both combined, and therefore may be supposed willing to know the extent of their rights and liabilities in those characters. If shareholders, they are directly interested; if ratepayers simply, they are relieved or burthened in proportion to the amount at which the company is assessed in their parish. To shareholders and ratepayers, as well as to lawyers, the work before us will be found to be useful,

and we can recommend it as being an extremely clear and accurate statement of the subject on which it professes to treat. We propose briefly to analyse its contents..

"The beneficial occupation of real property is the test of rateability, and it is important to bear in mind that a poor-rate is imposed on the value of the occupation in a parish, and not on the value of the land itself." (P. 2).

"The criterion of the value in every case is, to ascertain the rent which a tenant would pay for the land to be occupied and used by him, as it actually is occupied and used at the period when the rate is laid, such tenant paying all poor-rates and expenses of repairing, and all other outgoings necessary to maintain the land permanently in a state to command such ascertained rent. This is the mode prescribed by the Parochial Assessment Act, 6 & 7 Will. 4, c. 96. The rack-rent correctly represents the annual value of occupation, as it is that part of the profit derived from the land which remains after deducting the return for the capital and labour invested in it by the farmer or other occupier." (P. 4, citing Mills' Political Economy, b. 2, cc. 15, 16).

The rent, it will be observed, is hypothetical.

"Where the profit is produced to the occupier by payments made for the use of the land by others, the proper criterion will be to ascertain the rent a tenant would reasonably give for the right of so occupying the land and of receiving such payments. Under this class railways sometimes come. The tolls or rates are not themselves rateable, but they form an important element in arriving at the value of the occupation." (P. 8).

"Where, as in the case of railways, the subject of a rate extends through several parishes, the value in each parish must be found by an estimate of the rent which might be expected for the part occupied in that parish, considered not as isolated from, but as occupied in conjunction with, the rest of the concern." (P. 13).

"The distinction, however, between tolls received and tolls earned in any particular parish must be carefully observed, as it is the latter only which represent the value of the occupation. It may happen that a railway passes for two or three miles through a parish in which there is no station, and where no money is taken. There no tolls would be received within the parish, but a proportion of the profit arising from all traffic passing through the parish is earned in that parish, because it is paid for the use of that land equally with other parts of the line." (P. 18).

The results of the late important decisions by the Court of Queen's Bench in the cases of *Reg. v. The London, Brighton, and South-coast Railway Company* (15 Jur., part 1, p. 372) and *Reg. v. The South-eastern Railway Company* (Id. 378) are thus stated:—

"The principle of assessing the rateable value of the occupation in a particular parish, in the case of a railway equally with other rateable property, is to be found in the Parochial Assessment Act, which requires that it shall be founded upon the rent at which the occupation in that parish would let from year to year; and in this respect a railway does not differ from a canal or any other similar kind of property extending into different parishes; the hypothetical rent being calculated upon the value which the land occupied in the particular parish produces, or, in other words, according to the net earnings of the whole concern within that parish, after making the allowances and deductions prescribed by the statute.

"In estimating this value or supposed rent, any expenses, wherever arising, which are necessary to produce the ascertained value, or to keep the property in a state to command the rent, must be deducted in the course of ascertaining it; but any question of the

amount of rate assessed upon the same occupier in respect of another part of the same railway in another parish is irrelevant to the calculation, and cannot be taken into account. This principle of assessment, by means of the parochial earnings, not appearing to present any insuperable difficulty, in point of practical application to the case of a railway, must be followed in preference to the mileage method of apportionment, because the former mode is that which alone complies with the requirements of the Parochial Assessment Act, the object of which is to secure uniformity of rating, and the provisions of which are imperative. No such insuperable difficulty ought, indeed, under any circumstances, to exist, because the company are always in possession of the means of arriving at a fair assessment upon the principle now sanctioned, and it is their interest as well as their duty to give the parish officers such information as will enable them to lay the rate fairly.

"A deduction from the gross estimated rental to countervail the depreciation of the permanent fabric of the railway, and to maintain it in a state to command the hypothetical rent at which it is assessed, is proper to be made, even though no actual charge has been made, or sum set apart by the company out of their revenue to meet this contingent liability. There is no substantial distinction in this respect between railway and house property, or any other of a perishable nature, which must, in its nature, require renewal in the course of time; in all of which cases an allowance in respect of depreciation is made. At the same time it is the duty of railway companies to meet this prospective charge, by laying by a sum annually out of their revenue; and if they fail to do so, whenever the period arrives for actually making the necessary restoration, it is intimated that they will be stopped from claiming more upon their then assessment than such an annual average deduction as had been previously allowed to them. This part of the decision appears to involve a partial overruling of *The Great Western case*, in which it was decided that such a head of deduction could not be allowed, partly because no sum had, in fact, been set apart to meet the liability, although there was in that case the additional circumstance, that such repairs as had occurred had been defrayed out of capital instead of revenue.

"The question of the exchange toll is one which, being founded on the peculiar circumstances then before the Court, cannot, in its details, be generally applicable to other railway companies not subject to a like arrangement; but the legal principle affirmed by the Court is, that where any private arrangement prevails, by which another company is allowed to pass toll free over any part of the line in question, in consideration of a similar liberty conceded to the company assessed, such privilege is to be considered as so much rent, increasing the value of the occupation; but that the corresponding privilege, by means of which such supposed rent is earned, must also be valued and deducted as an expense necessary to earn that rent.

"Lastly, it is decided that the rate should be assessed on the latest materials of receipt and expenditure attainable by the parish officers. The prospective value of the property is, for the purpose of rating, to be estimated on the latest antecedent value which can be got at; but although a rate, based upon materials which, at the time of laying it, were the most recent then accessible to the parish, should not be quashed, because, at the period of its being contested upon appeal, other and later means for making the calculation are shewn to exist; yet that, as a power of amending the rate upon the materials laid before them is given to the sessions, they may properly act upon that power, so as to arrive at the most just conclusion upon the question submitted to them."

Court Papers.**EQUITY SITTINGS, TRINITY TERM, 1851.****Court of Chancery.***Before the LORD CHANCELLOR, at Westminster.*

| | | |
|-----------------|--------|------------------------------------------------------------------|
| Tuesday.... | May 27 | Appeal Motions. |
| Wednesday | 28 | (Petition-day).—Lunatic and Cause Petitions (unopposed first). |
| Thursday | 29 | Appeals. |
| Friday | 30 | |
| Saturday | 31 | |
| Monday | June 2 | |
| Tuesday | 3 | Appeal Motions. |
| Wednesday | 4 | |
| Thursday | 5 | |
| Friday | 6 | |
| Saturday | 7 | (Petition-day).—Unopposed Lunatic Petitions and Cause Petitions. |
| Monday | 9 | Appeals. |
| Tuesday | 10 | |
| Wednesday | 11 | |
| Thursday | 12 | |
| Friday | 13 | (Petition-day).—Unopposed Lunatic Petitions and Cause Petitions. |
| Saturday | 14 | Appeals. |
| Monday | 16 | |
| Tuesday | 17 | |
| | | Appeal Motions. |

N.B.—The days his Lordship attends the House of Lords on Appeals excepted.

Rolls Court.*Before the Right Hon. the MASTER OF THE ROLLS, at Westminster.*

| | | |
|-----------------|--------|---------------------------------------------------------------|
| Tuesday.... | May 27 | Motions. |
| Wednesday | 28 | Petitions in General Paper. |
| Thursday | 29 | Pleas, Demurrers, Causes, Further Directions, and Exceptions. |
| Friday | 30 | |
| Saturday | 31 | |
| Monday | June 2 | |
| Tuesday | 3 | Motions. |
| Wednesday | 4 | |
| Thursday | 5 | |
| Friday | 6 | |
| Saturday | 7 | Pleas, Demurrers, Causes, Further Directions, and Exceptions. |
| Monday | 9 | |
| Tuesday | 10 | |
| Wednesday | 11 | |
| Thursday | 12 | Motions. |
| Friday | 13 | Pleas, Demurrers, Causes, Further Directions, and Exceptions. |
| Saturday | 14 | |
| Monday | 16 | |
| | | Petitions in General Paper. |

Short Causes, Consent Causes, Unopposed Petitions, and Short Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.*Before VICE-CHANCELLOR KNIGHT BRUCE, at Westminster.*

| | | |
|-----------------|--------|-------------------------------------------------------------|
| Tuesday.... | May 27 | Motions and Claims. |
| Wednesday | 28 | Short Causes, Short Claims, Bankrupt Petitions, and Claims. |
| Thursday | 29 | Claims. |
| Friday | 30 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 31 | Petitions and Claims. |
| Monday | June 2 | Causes and Claims. |
| Tuesday | 3 | |
| Wednesday | 4 | |
| Thursday | 5 | |
| Friday | 6 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 7 | Petitions and Claims. |

| | | |
|-----------------|----|------------------------------------------------------------|
| Monday | 9 | Causes and Claims. |
| Tuesday | 10 | |
| Wednesday | 11 | Short Causes, Short Claims, Bankrupt Petitions and Claims. |
| Thursday | 12 | Motions. |
| Friday | 13 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday | 14 | Petitions. |
| Monday | 16 | Causes. |
| Tuesday | 17 | Motions. |

N.B.—Fifty Claims will be placed in the paper on the 29th May.

Notice.—Unopposed Petitions, not exceeding ten, to be in the paper every day.

Before VICE-CHANCELLOR LORD CRANWORTH, at Westminster.

| | | |
|-----------------|--------|-------------------------------------------------------|
| Tuesday.... | May 27 | Motions. |
| Wednesday | 28 | (Petition-day).—Cause Petitions. |
| Thursday | 29 | Causes and Claims. |
| Friday | 30 | |
| Saturday | 31 | |
| Monday | June 2 | |
| Tuesday | 3 | Short Causes, Short Claims, and Causes and Claims. |
| Wednesday | 4 | Causes and Claims. |
| Thursday | 5 | Motions. |
| Friday | 6 | (Petition-day).—Cause Petitions. |
| Saturday | 7 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday | 9 | Causes and Claims. |
| Tuesday | 10 | Short Causes, Short Claims, and Ditto. |
| Wednesday | 11 | Causes and Claims. |
| Thursday | 12 | Motions. |
| Friday | 13 | (Petition-day). |
| Saturday | 14 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday | 16 | Causes and Claims. |
| Tuesday | 17 | Motions. |

Notice.—Unopposed Petitions, not exceeding ten, at the sitting of the Court daily, except Seal Days.

Before VICE-CHANCELLOR TURNER, at Westminster.

| | | |
|-----------------|--------|--------------------------------------------------------------------------------------------------------------------|
| Tuesday.... | May 27 | Motions, Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Wednesday | 28 | (Petition-day).—Petitions, Pleas, Demurrers, Causes, and Claims. |
| Thursday | 29 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Friday | 30 | Unopposed Petitions, Short Causes, Short Claims, Pleas, Demurrers, Exceptions, Causes and Claims. |
| Saturday | 31 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Monday | June 2 | |
| Tuesday | 3 | |
| Wednesday | 4 | |
| Thursday | 5 | Motions and Ditto. |
| Friday | 6 | (Petition-day).—Unopposed Petitions, Short Causes, Short Claims, Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Saturday | 7 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Monday | 9 | |
| Tuesday | 10 | |
| Wednesday | 11 | |
| Thursday | 12 | Motions and Ditto. |
| Friday | 13 | (Petition-day).—Unopposed Petitions, Short Causes, Short Claims, Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Saturday | 14 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Monday | 16 | General Petitions, Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Tuesday | 17 | Motions, Pleas, Demurrers, Exceptions, Causes, and Claims. |

COMMON-LAW SITTINGS, IN AND AFTER TRINITY TERM, 1851.

• Court of Queen's Bench.

MIDDLESEX.—In Term.

| | | |
|--------------------------------|--------|------------------------------------------------|
| 1st sitting, (at 11 o'clock), | May 28 | } For short defended and undefended causes. |
| Wednesday | | |
| 2nd sitting, (at 11 o'clock), | June 5 | } For undefended causes only. |
| Thursday | | |
| 3rd sitting, (at half-past 9), | 14 | |
| Saturday | | |

After Term.—Wednesday, June 18.

LONDON.—In Term.

| | | |
|--------------------------------|---------------|--------|
| 1st sitting (at 10 o'clock)... | Tuesday | June 3 |
| 2nd sitting (at 10 o'clock) .. | Tuesday | 10 |

[Any common jury cause may be taken in term]

After Term.—Thursday, June 19, to adjourn only.

The Court will sit at half-past 9 o'clock on every day after term.

N. B.—The Office of the Marshal and Associate is in Rolls-gardens, Chancery-lane. Hours of attendance, 11 to 5 during term and sittings after term, 11 to 2 during the rest of the year.

Court of Common Pleas.

In Term.

| MIDDLESEX. | LONDON. |
|--------------|---------------|
| Friday | May 30 |
| Friday | June 6 |
| | Tuesday |
| | Tuesday |

After Term.

| | |
|-----------------|---------|
| Wednesday | June 18 |
| Thursday | June 19 |

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Thursday, the 19th June, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-gardens, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Sydney of Pleas.

In Term.

| MIDDLESEX. | LONDON. |
|---------------------------|---------|
| 1st sitting, Wednes., | May 28 |
| 2nd sitting, Wednes., | June 4 |
| 3rd sitting, Wednesday .. | 11 |

After Term.

| | |
|-----------------|---------|
| Wednesday | June 18 |
| Thursday | June 19 |

(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

COMMON-LAW CAUSE LISTS, TRINITY TERM, 1851.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER EASTER TERM, 1851.

FOR JUDGMENT.

Lon.—Sievebright v. Archibald

Easter Term, 1848.

Kent.—Doe d. Warren & an. v. Brydges (Standing for arrangement)

FOR ARGUMENT.

Easter Term, 1851.

Notte.—Cort & an. v. Ambergate, Nottingham, & Boston and Eastern Junction Railw. Co.

Hants.—Doe d. Player & ors. v. Dashwood
Wilts.—Cooper v. Ball
" Doe d. Newman v. Rusham
York—Walton v. Midland Railway Co.
" Scholefield v. Andrew
" Doe d. Palmer v. Eyre
" Reg. v. Scaife & an.

Liv'pool—Armistead v. Wilde
Glamorg.—Eaton v. Swansea Waterworks Co.
Brecon.—Doe d. Lord Ashburnham v. Michael
Radnor.—Evans v. George
Tried during Easter Term, 1851.
Midd.—Doe d. Baddeley & an. v. Massey

SPECIAL CASES AND DEMURRERS

FOR TRINITY TERM, 1851.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR JUDGMENT.

*Tarleton v. Liddell & an.
*Blair v. Ormond & an.

FOR ARRANGEMENT.

Gibson & an. v. Vernon & an.
Lowndes v. Earl Stamford and Warrington

FOR ARGUMENT.

*Cooke v. Cunliffe
Booth v. Monmouthshire Railway and Canal Co.
*Simms & ors. v. Marryat

Shrewsbury and Birmingham Railway Co. v. London and North-western Railway Co.
Orchard & ors. v. Honchin
Derbyshire, Stafford, & Worcester Junction Railway Co. v. Tebbett
*Governor and Co. of Chelsea Waterworks v. Bowley
Wilton v. Dunn
Grantham Canal Co. v. Ambergate &c. Railway Co. (Sp. Verd.)

ENLARGED RULES

FOR TRINITY TERM, 1851.

Those marked thus * were moved in the Bail Court; and those marked thus † are to be heard in that court.

First Day.

Roe v. Manser
*Jackson & ors. v. Charing-cross Bridge Co.
*Lane & ors. v. Hooper & an.
*Todd & ors. v. Hill
*Davis v. Moffat
Reg. v. Blackstone
*Same v. Commissioners of Inland Revenue
*†Same v. Schlesinger
*†Same v. Cameron's Coalbrook Steam Coal & Swansea & Loughor Railway Co.

Second Day.

*Same v. Guardians of St. Martin's-in-the-Fields
*†Same v. Ingham

Third Day.

*Same v. North-western Railway Co.

Last Day but one of Trinity Term.

*†Same v. Inhabitants of Turweston

CROWN PAPER, TRINITY TERM, 1851.

Middlesex Reg. v. Overseers of the Poor of Leeds.
Yorkshire Carr.
Berkshire In the matter of an Award between the Great Western Railway Company and the Inhabitants of Tilehurst.
Lincolnshire .. Reg. v. Tithe Commissioners.
Lancashire Haslam.
Dorsetshire ... Hellier.

Court of Common Pleas.

NEW TRIALS.

MICH. TERM, 1848.
Surr.—Hamilton v. Cochrane
(To stand over, parties in course of arranging).
EASTER TERM, 1851.
Midd.—Dews v. Ryley
Midd.—James v. Whitbread
Lond.—West London Railway Co. v. London and North-western Railway Co.
Herts.—Leachman v. Manser

DEMURRER PAPER.

Friday, May 30.
Robinson v. Marquis of Bristol
Doe d. Hopkinson v. Ferrand
Doe d. Starling v. Prince

ENLARGED RULES.

To second Day.

In re a Plaintiff entered in the
County Court of Shropshire
at Wem
Wilson v. Franklin

To tenth Day.

Dunkley v. Farris
Generally.
In re Sharp & ors. v. All of
Horbury, on behalf of Carr
(Prohibition)

CUR. ADV. VULT.

Southall v. Rigg
West London Railway Co. v.
London and North-western
Railway Co.

Arden v. Goodacre
Abley v. Dale
Rossetto v. Gurney
Stainbank v. Fenning.

Court of Exchequer.

SITTINGS—TRINITY TERM, 1851.

Days in Term.

| <i>Days in Term.</i> | <i>Banc.</i> |
|----------------------|-------------------------------|
| Tuesday May 27 | Motions and Peremptory Paper. |
| Wednesday 28 | Peremptory Paper and Motions. |
| Thursday 29 | ..... |
| Friday 30 | ..... |
| Saturday 31 | ..... |
| Monday June 2 | Special Cases and Demurrers. |
| Tuesday 3 | Errors. |
| Wednesday 4 | Demurrers and Special Cases. |
| Thursday 5 | Circuits chosen. |
| Friday 6 | Special Cases and Demurrers. |
| Saturday 7 | Crown Cases. |
| Monday 9 | Demurrers and Special Cases. |
| Tuesday 10 | ..... |
| Wednesday 11 | Special Cases and Demurrers. |
| Thursday 12 | ..... |
| Friday 13 | ..... |
| Saturday 14 | ..... |
| Monday 16 | ..... |
| Tuesday 17 | ..... |

*Days in Term.**Nisi Prius.*

| | |
|---------------------|---------------------------|
| Wednesday.. May 28 | Middlesex first Sitting. |
| Tuesday June 3 | London first Sitting. |
| Wednesday 4 | Middlesex second Sitting. |
| Tuesday 10 | London second Sitting. |
| Wednesday 11 | Middlesex third Sitting. |

NEW TRIALS.

FOR JUDGMENT.

Lafon v. Ellis
Hart v. Baxendale
Beldon v. Campbell
Longmead v. Holliday
Leneghan v. Capone
Great Western Railway Co. v.
Budd

FOR ARGUMENT.

Moved Hilary Term, 1851.
Lond.—Grapes v. Bunney
" Same v. Same
" Graham v. Isemonger
" Wear v. Barnett
" Morgan v. Whitmore
" Burmester v. Norris
" Graham v. Mason

*Moved after the 4th Day of
Hilary Term, 1851.*

Midd.—Smith v. Stevens
" Smith v. Howell
" Jeakes v. White

Midd.—Read v. Legard
Lond.—White v. Mullett

Moved Easter Term, 1851.

Midd.—Slowcombe v. Lyall
" Page v. Watkins
" Hudson v. Roberts
" Thoms v. Taylor
Lond.—Stockton and Darlington
Railway Co. v.
Fox

" Penn v. Bittleston
" Symons v. May
" Trumpler v. Lockett
" Graham v. Newnham
" Skipper v. Great
Western Railw. Co.
" Harvey v. Towers
" Same v. Same

*Moved after the 4th Day of
Easter Term, 1851.*

Midd.—Middlemas v. Hooker
" White v. Till
" Woods v. Finnis

PEREMPTORY PAPER.

*To be called on the first Day of Term after the Motions,
and to be proceeded with the next Day, if necessary, before
the Motions.*

Jones v. Davies
In re Arbitration between Ro-
berts and Jones

Turner v. Cameron's & Co. Rail-
way Co.
Edwards v. Same

SPECIAL PAPER.

SPECIAL CASES.

FOR ARGUMENT.
Micklethait v. Winter
Mehew v. Bone
Clay v. Rufford
Cannan v. South-eastern Rail-
way Co.

Great Northern Railway Co.
v. Manchester, Sheffield, &
Lincolnshire Railway Co.
Swansea Dock Co. v. Leven
Dickinson v. Grand Junction
Railway Co.

DEMURRERS.

FOR JUDGMENT.
Allhuson v. Prest
Key v. Thimbleby

Nickols v. Dixon
Drew v. Collins
Goddard v. Electric Telegraph
Co.
Addyman v. Woodman
Waterford, Wicklow, & Dub-
lin Railway Co. v. Maxwell
Dechement v. Laurent

FOR ARGUMENT.
Stocks v. Mayor of Halifax
Kirk v. Unwin
Callow v. Jenkinson

MOTIONS.

Carne v. Malins

Thompson v. Acocks.

London Gazetteers.

TUESDAY, MAY 20.

BANKRUPTS.

WILLIAM PAGE, Great Yarmouth, Norfolk, grocer and
basket maker, May 30 and June 30 at 12, Court of Bank-
ruptcy, London: Off. Ass. Johnson; Sols. Fillett & Co.,
Norwich; Storey, 17, Featherstone-buildings.—Petition filed
May 9.

JOHN GEORGE CASSAIGNE, Salisbury-street, Strand,
Middlesex, wine merchant, dealer and chapman, (trading
under the firm of Charles and John Cassaigne & Co.), May
30 and June 30 at 11, Court of Bankruptcy, London:
Off. Ass. Johnson; Sols. Lawrance & Co., Old Jewry.—
Petition filed May 12.

JOSEPH FREDERICK FRAKE, Hampstead-street,
Fitzroy-square, Middlesex, licensed victualler, May 30 and
July 4 at 11, Court of Bankruptcy, London: Off. Ass.
Cannan; Sols. Rawlings, 7, John-street, Bedford-row, and
Romford, Essex.—Petition filed May 15.

DAVID GIDEON, Minorities, London, and Uxbridge, Mid-
dlesex, clothier, slopseller, and warehouseman, May 28 and
July 1 at 12, Court of Bankruptcy, London: Off. Ass.
Stansfeld; Sols. Sale & Co., Manchester; Reed & Co.,
59, Friday-street, Cheapside, London.—Petition filed
May 15.

JOSEPH EMERSON DOWSON, Oxford-street, Maryle-
bone, Middlesex, furnishing ironmonger, May 31 at 1, and
July 12 at 11, Court of Bankruptcy, London: Off. Ass.
Nicholson; Sol. Cooper, 11, Gray's-inn-square, and Old
Cavendish-street.—Petition filed May 17.

JAMES EUGENE M'CABE, Parliament-street, Westmin-
ster, Middlesex, lithographic printer and land surveyor,
June 3 at 1, and July 1 at 11, Court of Bankruptcy, London:
Off. Ass. Edwards; Sol. Philipe, 10, Gray's-inn-square.—
Petition filed May 8.

CHARLES BOND, Twerton, (and not Tiverton, as adver-
tised in last Friday's Gazette), near Bath, and Bath, Somers-
etshire, tanner, carrier, dealer and chapman, May 27 at
half-past 12, and June 24 at 11, District Court of Bank-
ruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—
Petition filed May 14.

ROBERT HAZARD and FREDERICK ROBERT HA-
ZARD, Bristol, victuallers, dealers and chapmen, (trading
under the firm of Hazard & Son), June 4 at 12, and July 2
at 11, District Court of Bankruptcy, Bristol: Off. Ass.
Miller; Sol. Bevan, Bristol.—Petition filed May 16.

RICHARD BRISCOE, Liverpool, draper, June 3 and 23 at
11, District Court of Bankruptcy, Liverpool: Off. Ass.
Casenove; Sols. Sale & Co., Manchester.—Petition filed
May 9.

JAMES M'NAMEE, Manchester, manufacturing chemist,
June 2 and July 1 at 12, District Court of Bankruptcy,
Manchester: Off. Ass. Pott; Sols. Sale & Co., Manches-
ter.—Petition filed May 15.

HUGH JONES, Gaerwen, Anglesea, ironmonger, grocer, dealer and chapman, June 3 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Fletcher & Hall, Liverpool; Jones, Bangor.—Petition filed May 10.

THOMAS STORER DOBINSON, Tynemouth, Northumberland, banker, dealer and chapman, May 28 at 11, and June 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Wheldon, North Shields; Griffith & Crighton, Newcastle-upon-Tyne.—Petition filed May 12.

MEETINGS.

Lionel Prager Goldsmid, King-st., Holborn, Middlesex, importer of watches, June 2 at 12, Court of Bankruptcy, London, ch. ass.—**Charles Driffield**, Beverley, Yorkshire, draper, May 30 at 11, Court of Bankruptcy, London, last ex.—**John Hughes**, Haccoby, Lincolnshire, beast jobber, June 13 at 10, District Court of Bankruptcy, Nottingham, last ex.—**Frederick Young**, North-place, Kingsland-road, and Silver-street, Golden-sq., Middlesex, cheesemonger, June 4 at 12, Court of Bankruptcy, London, aud. ac.—**Thomas Dewhurst**, Sheffield, Yorkshire, grocer, May 31 at 10, District Court of Bankruptcy, Sheffield, and. ac.—**John Reid**, King's-row, Fimlico, Middlesex, corn dealer, June 10 at 11, Court of Bankruptcy, London, div.—**Joseph King**, North Audley-st., Grosvenor-sq., Middlesex, coach builder, June 13 at half-past 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Lionel Prager Goldsmid, King-street, Holborn, Middlesex, importer of watches, June 11 at 12, Court of Bankruptcy, London.—**James Keele and Robert J. Bides**, Riches-court, Lime-st., London, merchants, June 11 at 12, Court of Bankruptcy, London.—**Henry Medworth**, Wisbech St. Peter, Cambridgeshire, grocer, June 13 at half-past 12, Court of Bankruptcy, London.—**Robert W. Wright, Charles Davy, and Jacob Dixon**, Devonshire-street, Queen-sq., Bloomsbury, Middlesex, goldsmiths, June 10 at 12, Court of Bankruptcy, London.—**George Smellie**, High-street, Shadwell, Middlesex, silversmith, June 10 at 11, Court of Bankruptcy, London.—**James Bury** the younger, Sneinton, Nottinghamshire, cotton waste dealer, June 13 at 10, District Court of Bankruptcy, Nottingham.—**James Orange**, Nottingham, lace manufacturer, June 13 at half-past 10, District Court of Bankruptcy, Nottingham.—**Robert E. Gorst**, Rock-ferry, Cheshire, apothecary, June 10 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Edwin Unitt, Mickleton, Gloucestershire, cattle dealer.—**John Collingwood Ives**, Norwich, haberdasher.—**Wm. Bell Harrison**, Sunderland, Durham, draper.—**William Woods**, Devonshire-road, Wandsworth-road, Surrey, builder.—**David Douglas**, Chorlton-upon-Medlock, Manchester, draper.—**T. Griffiths**, Darlaston, Staffordshire, stonemason.

PARTNERSHIP DISSOLVED.

John Mitchell and Henry Ford, Exeter, attorneys-at-law and solicitors.

SCOTCH SEQUESTRATIONS.

Gilbert Currie & Co., Glasgow, merchants.—**John Mackay**, Glasgow, shoemaker.—**Wm. Hume**, Glasgow, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Ing, Long Crendon, Buckinghamshire, baker, May 28 at 10, County Court of Oxfordshire, at Thame.—**C. Domine**, Lymington, Southampton, schoolmaster, June 12 at 11, County Court of Hampshire, at Lymington.—**George Fredk. Hunter**, Sandside, near Ulverston, Lancashire, ginger-beer manufacturer, May 30 at 10, County Court of Lancashire, at Ulverston.—**Wm. Allpass**, Marahfield, Gloucestershire, shoemaker, May 31 at 11, County Court of Gloucestershire, at Chipping Sodbury.—**Thomas Nickless**, Colebrook Dale, Madeley, Shropshire, moulder, June 14 at 10, County Court of Shropshire, at Madeley.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 3 at 11, before the CHIEF COMMISSIONER.

Edward Holiday Liman, Lower Sloane-st., Chelsea, Middlesex, cheesemonger.—**Daniel Green**, St. Swithin's-lane, London, tailor.

June 3 at 11, before Mr. Commissioner PHILLIPS.

John Graves, Great Manchester-st., Waterloo-town, Bethnal-green, Middlesex, foreman in the pattern department of stores in the Tower of London.—**Christopher Bell**, Mazon-pond, Southwark, Surrey, armoury keeper at the Tower of London.—**Wm. Baldwin**, Battley's-row, Stratford, Essex, pattern drawer.

Saturday, May 17.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Andrew Aslett, George-st., Blackfriars-road, Surrey, shopman to a linendraper: in the Debtors Prison for London and Middlesex.—**Henry Lawrence**, George-st., New North-road, Islington, Middlesex, baker: in the Debtors Prison for London and Middlesex.—**William Snelling**, Burstow, Surrey, butcher: in the Gaol of Horsemonger-lane.—**Stephen Gerrett**, Crimscoot-street, Grange, Bermondsey, Surrey, leather manufacturer: in the Gaol of Horsemonger-lane.—**H. Cornwall**, Bury-st., St. James's, Middlesex, in no business: in the Queen's Prison.—**Edward Wilson**, King-st., Lambeth-walk, Surrey, furniture broker: in the Gaol of Horsemonger-lane.—**John Still**, High-street, Camberwell, Surrey, in no business: in the Debtors Prison for London and Middlesex.—**J. Warr**, York-place, Kentish-town, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.—**Benj. Howlett**, Smith-terrace, Smith-street, King's-road, Chelsea, Middlesex, ironmonger: in the Debtors Prison for London and Middlesex.—**Mary W. Ross**, widow, Lambeth-road, Surrey, in no business: in the Debtors Prison for London and Middlesex.—**David Cockworth**, Broadway, Ludgate-hill, London, grocer: in the Debtors Prison for London and Middlesex.—**W. F. Mitchell**, Church-street, Lower Edmonton, Middlesex, omnibus driver: in the Debtors Prison for London and Middlesex.—**J. Holford**, Beresford-street, Woolwich, Kent, builder: in the Debtors Prison for London and Middlesex.—**James Crocker**, Upper Weymouth-street, St. Marylebone, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—**Samuel Makepeace**, Figs Marsh, Mitcham, Surrey, chemical agent: in the Gaol of Horsemonger-lane.—**William Lavis**, Newton Poppleford, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—**T. Baves**, Hulme, Manchester, tailor: in the Gaol of Lancaster.—**Elias Way**, Portsmouth, Hampshire, shoemaker: in the Gaol of Portsmouth.—**Wm. Alker**, Pemberton, near Wigan, Lancashire, husbandman: in the Gaol of Lancaster.—**Samuel Mitchell**, Kensington, West Derby, Liverpool, printer: in the Gaol of Lancaster.—**Philip Brideash**, Leigh, Lancashire, provision-shop keeper: in the Gaol of Lancaster.—**Sarah Elston**, widow, Deeping St. James, near Market Deeping, Lincolnshire, out of business: in the Gaol of Lincoln.—**John Smith**, Blackburn, Lancashire, stonemason: in the Gaol of Lancaster.—**Thos. L. R. Pierce**, Aldersgate-street, London, out of employ: in the Gaol of Maidstone.—**John Turner**, Kingston-upon-Hull, licensed victualler: in the Gaol of Kingston-upon-Hull.—**Wm. Veale**, Ashwater, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

May 28 at 10, before Mr. Commissioner LAW.

Adjourned.

James Basire the younger, Havington-street North, Hampstead-road, Middlesex, mechanical engineer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, June 4 at 10.
Arabella Anna Mann, Dover, out of business.

At the County Court of Kent, at MAIDSTONE, June 3.
Wm. Law, Crabble, near Dover, out of business.—T. L. R. Pierce, Aldersgate-street, London, out of business.

(On Creditor's Petition).

Joseph Everest, Welling, in the employ of a farmer.

FRIDAY, MAY 23.

BANKRUPTCY.

JAMES HUCKS, Mill-pond-bridge, Rotherhithe, Surrey, cooper, dealer and chapman, June 3 at 2, and July 1 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Borradaile & Dimsdale, 20, King's-arms-yard, Moorgate-street.—Petition filed May 19.

JOHN BAVIN, Wisbeach, Cambridgeshire, draper, dealer and chapman, May 31 at half-past 1, and July 12 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Sole & Turner, 18, Aldermanbury.—Petition dated May 17.

SHADRACH EDWARD ROBERT JONES, Wrockwardine, Shropshire, apothecary, dealer and chapman, June 3 and 25 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated May 9.

GEORGE MACHIN, Dudley, Worcestershire, spade and shovel manufacturer, June 5 and July 3 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Dingman & Hemmant, Walsall.—Petition dated May 12.

JOHN WILKINSON, Nottingham, brace and purse manufacturer, June 13 and July 11 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Shilton & Son, Nottingham.—Petition dated May 12.

EDMUND WILLIAM REILLY, Bath and Bathampton, Somersetshire, livery-stable keeper, postmaster, farmer, milkman, trader, dealer and chapman, June 6 and July 7 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Hellings, Bath.—Petition filed May 19.

WILLIAM GEORGE HENRY TAUNTON, Liverpool, civil engineer and patent windlass and chain cable manufacturer, dealer and chapman, June 5 and 26 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Holt & Rowe, Liverpool.—Petition filed May 21.

MEETINGS.

James Reed, Bermondsey-street, Southwark, Surrey, hop merchant, June 6 at 1, Court of Bankruptcy, London, last ex.—*Robert Avasa*, Canterbury, Kent, fellmonger, June 5 at half-past 11, Court of Bankruptcy, London, and ac.; June 14 at 11, div.—*Samuel Adams*, *Wm. B. Adams*, and *Gerald Ralston*, Bow, Middlesex, engineers, June 5 at 11, Court of Bankruptcy, London, and ac. joint est. of *Wm. B. Adams* and *G. Ralston*; June 14 at half-past 11, div.—*J. King*, North Audley-st., Grosvenor-sq., Middlesex, coach builder, June 6 at half-past 1, Court of Bankruptcy, London, and ac.—*Henry Medworth*, Wisbech St. Peter, Cambridgeshire, grocer, June 13 at half-past 12, Court of Bankruptcy, London, and ac.; June 20 at half-past 11, div.—*J. Loneragan*, Cambridge-terrace, Lower-road, Islington, Middlesex, corn dealer, June 5 at half-past 11, Court of Bankruptcy, London, and ac.—*Wm. W. Irving*, Gloucester-street, Queen-square, Bloomsbury, Middlesex, merchant, June 5 at 1, Court of Bankruptcy, London, and ac.—*George Maddison*, Swaffham, Norfolk, grocer and tallowchandler, June 13 at 11, Court of Bankruptcy, London, and ac.; June 14 at 1, div.—*George Thomas Minor*, Mount-street, Lambeth, Westminster-road, Surrey, linendraper and mercer, June 17 at 11, Court of Bankruptcy, London, and ac.—*Robert Peach*, Thorney, Isle of Ely, Cambridgeshire, butcher, June 10 at 11, Court of Bankruptcy, London, and ac.—*George Smellie*, High-st., Shadwell, Middlesex, silversmith, June 10 at 11, Court of Bankruptcy, London, and ac.—*Edward Harratt* and *John Bland*, Huntingdon and Godmanchester, Huntingdonshire, builders, June 3 at 12, Court of Bankruptcy, London, and ac.—*Thos. Lucas Clayton*, Pottesgrove, near Woburn, Bedfordshire,

milkman, June 4 at 12, Court of Bankruptcy, London, and ac.; June 13 at 1, div.—*James Keele* and *Robert J. Bidee*, Riches-court, Lime-st., London, merchants, June 11 at 1, Court of Bankruptcy, London, and ac.—*Wm. Matthews Hill*, Charlton-place, Islington, Middlesex, builder, June 4 at 12, Court of Bankruptcy, London, and ac.—*William Henry Bernard* and *Charles Bernard*, Liverpool, merchants, June 5 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas Clutche*, Chester, ale and porter brewer, June 6 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Wm. Simpson More*, Liverpool, sharebroker, June 6 at 11, District Court of Bankruptcy, Liverpool, and ac.—*J. Sankey*, Birkenhead, Cheshire, blacksmith, June 5 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Robert Graham*, Liverpool, merchant, June 5 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Benjamin Hornby*, Hoylake, Cheshire, innkeeper, June 6 at 11, District Court of Bankruptcy, Liverpool, and ac.—*David Black Sorley*, Liverpool, broker, June 6 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Nicholas John Kempe*, Liverpool, shipowner, June 5 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Henry Riddale* and *Henry Carter Snell Chauncy*, Liverpool, sharebrokers, June 5 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Elizabeth Mooney*, Egremont, Wallasey, Cheshire, upholsterer, June 6 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas Dean*, Seacombe, Cheshire, chemist, June 12 at 11, District Court of Bankruptcy, Liverpool, and ac.; June 13 at 11, div.—*John Dale Harwood*, Liverpool, ironmonger, June 5 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Johnson*, Newcastle-upon-Tyne, banker, June 17 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.; June 19 at 12, div.—*Mary Whittaker*, Clitheroe, Lancashire, innkeeper, June 4 at 12, District Court of Bankruptcy, Manchester, and ac.—*Wm. Hale*, Bishampton, Worcestershire, baker, June 4 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Geo. Robert Galloway*, St. John-street, Middlesex, brush manufacturer, June 17 at 11, Court of Bankruptcy, London, div.—*Robt. Dodd*, Sheerness, Kent, builder, June 17 at half-past 11, Court of Bankruptcy, London, div.—*John Sault*, Long Buckby, Northamptonshire, licensed victualler, June 19 at 1, Court of Bankruptcy, London, div.—*Sarah Jevons*, Lincoln, shoemaker, June 19 at 12, Court of Bankruptcy, London, fin. div.—*Wm. Locks*, Leonard-street, Curtain-road, Shoreditch, Middlesex, timber merchant, June 19 at 12, Court of Bankruptcy, London, fin. div.—*James M. Canadale*, Norwich, draper, June 19 at 11, Court of Bankruptcy, London, div.—*Frederick Tapley*, Warminster, Wiltshire, linendraper, June 19 at 11, Court of Bankruptcy, London, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Burrell, Blackmore, Essex, victualler, June 20 at 1, Court of Bankruptcy, London.—*Wm. Couch*, John-st., Fitzroy-square, Middlesex, pianoforte maker, June 13 at 2, Court of Bankruptcy, London.—*John Glasspool*, Regent-st., Middlesex, ladies' shoemaker, June 16 at 12, Court of Bankruptcy, London.—*William Henry Tauts* and *Bass Jackson*, Great Russell-st., Tottenham-court-road, Middlesex, linendraper, June 17 at 12, Court of Bankruptcy, London.—*Rees Davies*, Tredegar, Monmouthshire, draper, June 17 at 11, District Court of Bankruptcy, Bristol.—*H. Reynolds*, Aberaman, Aberdare, Glamorganhire, innkeeper, June 18 at 11, District Court of Bankruptcy, Bristol.—*W. G. Williams*, Carnarvon, woollendraper, June 13 at 11, District Court of Bankruptcy, Liverpool.—*James Hill*, Holcombe Rogus, Devonshire, linendraper, June 18 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

John B. Warcup, Broadway, Deptford, Kent, ironmonger.—*Charles Graham*, New Oxford-street, Middlesex, hosier.—*J. C. C. Miller*, Clifton-street, Finsbury, Middlesex, surgeon.—*Thomas Rowan*, Cambridge, draper.—*Wm. Shaw* and *S. Shaw*, Saddleworth, Yorkshire, timber merchants.

ADJUDICATION ANNULLED.

Thomas Bagg, Aston, Warwickshire, publican.

SECTOR SEQUESTRATION.

Wm. Wanless, Edinburgh, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Stone, Poling, near Arundel, Sussex, blacksmith, June 14 at 11, County Court of Sussex, at Arundel.—*John Shaw*, Kingston-upon-Hull, out of business, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Wm. Anderson*, Kingston-upon-Hull, shipwright, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Saml. Ward*, Kingston-upon-Hull, licensed victualler, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Joseph Green*, Kingston-upon-Hull, hairdresser, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Hannah Watson*, Kingston-upon-Hull, out of business, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thomas Roberts*, Presteigne, Radnorshire, chemist, June 10 at 10, County Court of Radnorshire, at Presteigne.—*Jos. Booth*, Ardwick, Manchester, paper stainer, May 30 at 12, County Court of Lancashire, at Manchester.—*Chas. Willett*, Hulme, Manchester, schoolmaster, May 30 at 12, County Court of Lancashire, at Manchester.—*Edward Scholes*, Crowland, Lincolnshire, tailor, June 4 at 12, County Court of Lincolnshire, at Spalding.—*Alex. P. Fletcher*, Paington, Devonshire, schoolmaster, June 12 at 11, County Court of Devonshire, at Totnes.—*Joseph Anstey*, Birmingham, greengrocer, June 7 at 11, County Court of Warwickshire, at Birmingham.—*Fred. Love Watson*, Westbromwich, Staffordshire, tailor, May 28 at 2, County Court of Staffordshire, at Oldbury.—*William Tarver*, Smethwick, Staffordshire, road contractor, May 28 at 2, County Court of Staffordshire, at Oldbury.—*Samuel Share*, Dudley, Worcestershire, grocer, May 30 at 12, County Court of Worcestershire, at Dudley.—*Robt. Cockerill*, Towcester, Northamptonshire, agent to the County Fire-office and Provident Life-office, London, June 12 at 12, County Court of Northamptonshire, at Towcester.—*William Henry Fisher*, Lockhampton, Gloucestershire, out of employ, June 24 at 10, County Court of Gloucestershire, at Cheltenham.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Thomas Humphreys, Liverpool, porter, No. 73,488; *Edward Roberts*, assignee.—*Peter Jameson*, Staleybridge, tailor, No. 73,636; *William Haigh*, assignee.—*Charles Samson*, Liverpool, agent for the sale of ale and porter, No. 73,691; *Joseph Carter Wood*, assignee.—*John Dobb*, Wigan, manufacturing chemist, No. 73,678; *Robert Daglish*, assignee.—*Matthew Bramwell*, Ashton-under-Lyne, out of business, No. 73,634; *William Shepley*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, June 6 at 11.

John Dentith, Liverpool, coal proprietor.—*John Vicars Eggleston*, Pendleton, Manchester, assistant to a chemist.—*William Alker*, Pemberton, near Wigan, husbandman.—*Thomas Beves*, Hulme, Manchester, tailor.—*Timothy Ross*, Manchester, furniture dealer.—*Thomas Smith*, Manchester, cotton manufacturer.—*John Forshaw*, Bolton-le-Moors, out of business.—*Lawrance Bradley*, Chorley, shoemaker.—*John Hallam*, Manchester, baker.—*Thomas Emery*, Chorlton-upon-Medlock, Manchester, grocer.

At the County Court of Devonshire, at EXETER, June 7 at 10.

Wm. Veale, Ashwater, farmer.—*Thomas Payne*, Newton Abbott, Woolborough, innkeeper.—*Wm. Lavis*, Newton Poppleford, farmer.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, June 14.

Saml. John Tweddell, Kingston-upon-Hull, out of business.—*Michael Wallis*, Kingston-upon-Hull, out of business.

At the County Court of Sussex, at PETWORTH, June 13.

Edward Lee, Horsham, licensed victualler.—*Ralph E. G. Johnson*, Worthing, out of business.

MEETING.

James Smith, Lancaster, railway contractor, June 7 at 3, Blackhurst & Son's, Preston, sp. aff.

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MAY 31, 1851.

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LONDON, MAY 31, 1851.

THE legality of the University Commission may be discussed without any of that embarrassment which sometimes arises from the authority of great names, as the eminent lawyers who have given opinions upon the subject are in direct conflict with each other, and thus may be said to leave the question in equilibrio.

The commission, as is well known, was issued under the Queen's sign-manual, "for inquiring into the state, discipline, studies, and revenues of the University of Oxford (and Cambridge), and of all and singular the colleges in the said University;" and it authorises and empowers the commissioners to "call before them such persons as they may judge necessary," and also "to call for and examine all such books, documents, papers, and records as they shall judge likely to afford them the fullest information." A case on the part of the University of Oxford, laid before Messrs. Turner, Bethell, Keating, and Kenyon, has resulted in an opinion from them to the effect that the commission is illegal and unconstitutional, and that it cannot be supported by any authority of the Crown, either as visitor or under any prerogative or other right. Sir John Dodson, the Attorney-General, and the Solicitor-General, on the contrary, declare that it is not in any respect illegal or unconstitutional.

As to visitatorial power, say the opponents of the commission, it may be granted that the Pope and other ecclesiastics formerly interfered in the affairs of the Universities, which were then considered ecclesiastical bodies; and after the Reformation this power was claimed and exercised by the Crown; but it is clear now that the Universities are lay civil corporations; (13 Eliz. c. 29; *Rex v. The University of Cambridge*, 1 W. Bl. 550); and if so, the ordinary cannot visit; (case of *Sutton's Hospital*, 10 Rep. 31 a.); nor, therefore, the Crown, under any supposed ecclesiastical claim. Again: the commission does not purport to be

issued by the Crown as visitor of the University, but it directs inquiries as to colleges over which, as they have their own special visitors, the Crown can have no authority as visitor*.

Next, as to its constitutional and legal character, it purports to authorise an inquiry for the expression by the commissioners of an opinion only, and the subjects of inquiry are the rights, franchises, and property of the University, and the conduct of its members. Such commissions (we still use the language of the counsel for the University of Oxford) have been repeatedly condemned by Parliament, even in very early times. "Commissions for inquiry and discovery alone are illegal, because they put parties to answer otherwise than 'according to the old law of the land,' (see *Magna Charta*, 9 Hen. 3, c. 29; 25 Edw. 3, stat. 5, c. 4; 42 Edw. 3, c. 3†), and because, as Lord Coke writes, 'under them a man may be unjustly accused by false evidence, and he shall not have any remedy; a party

* As to the right of the Crown to visit the universities, see 1 Bl. Com. 481, and Grant on Corporations, 517.

† By reference to these authorities, they will be found scarcely to bear out the proposition in support of which they are cited. The words of *Magna Charta*, 9 Hen. 3, c. 29, are—"Nullus liber homo capiatur vel imprisonetur &c. nec super eum ibimus, nec super eum mittamus nisi per legale iudicium parium suorum vel per legem terre," which, according to Lord Coke's exposition, means—"No man shall be condemned at the King's suit, either before the King, &c., (and so are the words 'nec super eum ibimus' to be understood), or before any other commissioner or judge whatever, (and so are the words 'nec super eum mittamus' to be understood)." (1 Inst. 46).

25 Edw. 3, stat. 5, c. 4, recites the great charter, and provides, that "none shall be taken by petition or suggestion made to the King or his Council, unless it be by indictment or presentment, &c., nor that none be out (or ousted) of his franchises, nor of his freeholds, unless he be duly brought in to answer and forejudged of the same by the course of the law."

42 Edw. 3, c. 3, recites mischief done by false accusers, and that persons had been brought before the King's Council by writ, and enacts, that "no man be put to answer without presentment before justices, or matter of record, or by due process and writ original, according to the old law of the land."



may be defamed, and he shall not have any traverse to it.' (12 Rep. 31, 64)." It is here that the advocates of the commission first join issue with their learned brethren. They consider that the authorities on the subject of Royal Special Commissions cited by them are quite beside the question; that they resolve themselves into, first, commissions for illegally taxing the subject without the authority of Parliament; secondly, commissions armed with power of fine and imprisonment; thirdly, commissions to hear and determine offences contrary to law; and, fourthly, commissions to hear and inquire into offences, without determining them. "It is to this latter sort of commission that Lord Coke refers in his 12th Report, p. 31, (as is plain when the whole passage is cited), when he says, 'No such commission was ever seen to inquire, i. e. of crimes.' And it is to such a commission that he applies the remark, that 'a man may be unjustly accused by false evidence, and shall not have any remedy.'" The commission of James II, which was condemned by the Bill of Rights, "together with all commissions of a like nature," they state to have amounted to a substitution of a new jurisdiction for the constituted tribunals of the country, and a direct and open violation of public and private rights. "It is obvious that there is nothing in common between commissions of this nature and a commission of inquiry such as is now before us—a commission issued by the Crown for the purpose of obtaining information on a matter of public concern, without the assumption of any compulsory powers, and whose sole authority is derived from the respect with which it may be expected that a royal commission will be treated by her Majesty's subjects, more especially by public bodies and constituted authorities."

They conclude by stating that similar commissions have been sanctioned by very frequent usage in modern times.

The other side, however, contend that the commission purports to give compulsory powers, by authorising the commissioners to "call for" evidence. "This assumption of authority is illegal, for the Crown cannot, by its own authority, *compel persons to give information*, except in the regular course of administering justice, the course of which the Crown cannot alter; and the *commissioners cannot compel persons to give evidence, and they cannot legally administer an oath*, even to willing witnesses; and, wanting these powers, they cannot secure to any party a just and fair inquiry. (See 2 Inst. 479, 719, note; 12 Rep. 19, 49; 3 Inst. 175)."

The above passage appears to us to assume the very matter in issue—namely, that the commission is compulsory; that the words empowering the commissioners to "call for" evidence are tantamount to compelling others to furnish the evidence so called for. It may be admitted, that if the commission enables the commissioners to compel the production of evidence, it is void, as being contrary to law. But we would submit, that there is an obvious distinction between the power of calling for anything, and the obligation to obey the call*.

* The distinction is suggested in the well-known exclamation of Owen Glendower:—

At all events, these words are ambiguous; and therefore such a construction would be adopted as would support the commission—at *res magis valeat quam pereat*—in accordance with the established and extensive presumption of law against illegality. Is not the whole question assumed by taking for granted, that words so alight, so capable of an interpretation consistent with the validity of the commission, give the commissioners powers, not only of summoning, but also of compelling, the attendance of witnesses? A royal commission may, at least, receive the same measure of indulgent consideration that would be extended to documents emanating from any subject of the realm; and if so, the following is the rule:—

"Ambiguous instruments or acts shall, if possible, be construed so as to have a lawful meaning. Thus, where a deed or other instrument is susceptible of two constructions, one of which the law would carry into effect, while the other would be in contravention of some legal principle or statutory provision, the parties will always be presumed to have intended the former. 'In facto quod se habet ad bonum et malum, magis de bono quam de malo lex intendit.'" (Best on Presumptions, 67).

The remaining objection is this—assuming that the commission does not confer powers of a compulsory character, yet "the Crown and the subject are not on equal terms in such cases, and the Crown cannot constitutionally solicit against a subject that which it cannot command. And this principle seems especially true and reasonable as to an inquiry in which the subject has not the safeguards or helps which the law gives for the investigation of truth, and where he has no remedy of appeal in case wrong conclusions are drawn."

If the former part of this passage be correct, very many commissions that have been submitted to, and the numerous Queen's letters that have authorised clergymen to "solicit against a subject" donations, would appear to have been unconstitutional. And if the argument be carried out to its full extent, we doubt whether it would permit her Majesty in person to ask for information upon any matter whatever relating to the affairs of others. We are not aware of any principle or authority in support of this view, and we adopt the conclusion, that the commission is both legal and constitutional, as it is not compulsory in its character, and as it is simply an inquiry—a commission of oyer, and not of terminer—into the exercise of a public trust by a public body.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed William Sale, Gent., of Manchester, Lancashire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Lancaster.

"I can call spirits from the vasty deep."

And Hotspur's answer:—

"Why so can I; or so can any man:

But will they come when you do call for them?"

Henry IV, Part 1, Act 3, Scene 1.

POINTS ON THE CONSTRUCTION OF THE LANDS CLAUSES CONSOLIDATION ACT, 1845.

By sect. 18 of the Lands Clauses Act, the first step to be taken in purchasing lands, otherwise than by agreement under the provisions of the act, is to give a certain notice to the owner of the lands required. This "notice to treat," as it is familiarly called, establishes between the owner of lands and the company intending to take them a peculiar relation, for which at present there is no legal name.

It has often been said, that acts relating to railway and other companies must be construed strictly against them, and literally in favour of the public; and the cases to which we are about to allude are a very fair illustration of the rule.

The first point to be observed is, that when the notice to treat has been given, both parties are bound by it, so that neither can draw back without the consent of the other. (*Towney v. The Lynn and Ely Railway Company*, 16 L. J., Ch., 282). The company can no more refuse to take the lands specified in the notice than the owner to convey them. The only thing that remains is to ascertain the amount of purchase money and compensation which should be paid. (*Walker v. The Eastern Counties Railway Company*, 5 Hare, 594).

Thus far the notice seems to establish the relation of vendor and purchaser between the parties. It resembles a contract of sale in these respects also—that it fixes the quantity of land to be taken, (*Adams v. The London and Blackwall Railway Company*, 2 Mac. & G. 129), and both the vendor and purchaser are bound to complete the purchase in the manner provided by the act. (*Salmon v. Randall*, 3 My. & C. 449).

But here the analogy ceases. Courts of equity do not consider it right, even if they have jurisdiction, to enforce the sale or purchase of the lands where notice only has been given.

If there has been an agreement between the parties subsequently to the notice, this fact would give an equitable jurisdiction without doubt, for then the parties are vendor and purchaser in the ordinary meaning of the terms. (*Adams v. The London and Blackwall Railway Company*, ubi sup.)

Accordingly, in such a case, if the owner of the lands have devised them by a will, under 1 Vict. c. 26, made previously to the notice and agreement, and he die before the purchase is completed, it seems the money would belong to his executor, and not to the devisee. (*Re The London Bridge Approaches Act*, 13 Sim. 569).

But where only the notice to treat has been given, and the company neither take possession of the land nor summon a jury, there is some doubt whether the owner, having no power given him by the act to compel the company to complete the purchase, may not sustain a bill for specific performance. (*Walker v. The Eastern Counties Railway Company*, ubi sup.; but see *Adams v. The London and Blackwall Railway Company*, ubi sup.)

The better opinion seems to be, that he has not this remedy, his proper course being to apply for a mandamus (*Re v. The Hungerford Market Company*, 4 B. & Ad. 327) to oblige the company to proceed; and it seems he may obtain the writ, because otherwise he would be at the mercy of the company, who might keep him in a state of uncertainty, as to the time when they would take his land, during all the years allowed them by the act for the exercise of their compulsory powers. If this be so, it is presumed that the company have not, in the converse case of the owner, after notice and tender of price, refusing to convey, any equity to sustain a bill for specific performance, the same objec-

tion, that there is no contract, being fatal to either suit. (But see *Walker v. The Eastern Counties Railway Company*, ubi sup.)

The company, then, are left simply to their statutory powers of taking the lands required where they have given notice to treat; and it follows, that if the time allowed for the exercise of these powers be suffered to expire, they lose their right to take the lands altogether.

This seems to be a rational construction, for otherwise it is not easy to understand the use of any limitation whatever to the time of exercising the extraordinary powers given by the act. It has been accordingly so adjudged by an express decision; (*Brocklebank v. The Whitehaven Junction Railway Company*, 5 Railw. Cas. 370); and we rather wonder that any doubt should have been cast upon that judgment.

We confess we do not consider it inconsistent with such an interpretation of the act, that the landowner should be allowed to have a mandamus to compel the company to take the land after the expiration of the time for exercise of their compulsory powers, when the notice has been given within that time; (*Reg. v. The Birmingham and Oxford Junction Railway Company*, 14 Jur., part 1, p. 899, affirmed in Exchequer Chamber, 1st February, 1851, not yet reported); for it must be remembered that the company were able to proceed without delay within the prescribed period, and it is their own fault if they have neglected to do so; and in such a case they are prevented from proceeding by the express terms of the act. But, on the other hand, the landowner has been subjected to great inconvenience, and possibly to loss, by the notice having been given, and no further proceedings taken. The limitation in the act does not apply to him; and giving the landowner a remedy, which the company in the converse case are not permitted to have, may be thought to be a proper punishment to them for their wilful negligence.

It must be borne in mind that the compulsory powers of taking land given by this statute are altogether an invasion upon the original rights of property. The statute gives a special privilege of its own creation, the right to take the land of an individual whether he will or not, and points out step by step the mode of exercising this power. It is impossible to contend that the ordinary machinery of a suit in equity can be employed to effect this special object, for which the act has provided special means.

A fortiori, when the act has limited the time within which these powers are to be exercised, it cannot be said that their destruction, by the expiration of this period, lets in the jurisdiction of equity to complete the process commenced under the act against an owner.

But, on the other hand, the owner, who is at the mercy of these compulsory powers, and who has made arrangements to give up a portion of his property required to be taken, has the best possible equity, when the time has expired, to claim that his land may still be taken and paid for, as he has been led to expect it would be, if that course shall be more for his advantage than to retain it in his own possession; otherwise, this statute, which confers no benefit on the landowner, might be the means of inflicting upon him a serious injury.

E. E. K.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—Robert Wigram Crawford, Esq., for the borough of Harwich, in the room of Henry Thoby Prinsep, Esq., whose election for the said borough has been declared void; Charles Dawes, Esq., for the county of the Isle of Wight, in the room of John Simeon, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

Court Papers.

EQUITY CAUSE LISTS, TRINITY TERM, 1851.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C. Costs*—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Westminster.

APPEALS.

Briggs v. Penny (Ap, pt. hd.)
 Rodick v. Gandell (Ap)
 Robinson v. Geldart (Ap)
 Salmon v. Dean (Ap)
 Smith v. Pincombe (Ap)
 Vivian v. Cochrane (Ap)
 Sturge v. Sturge (Ap)
 Pelly v. Wathen (Ap)
 Rhodes v. Matson (Ap)
 Smith v. Smith (Ap)
 Kekewick v. Manning (Ap)
 Att.-Gen. v. Murdock (Ap)
 Deeks v. Bell (Ap)
 Toft v. Stephenson } (Ap)
 Graham v. Reeves }
 Smale v. Graves (Ap)
 Hawkes v. Eastern Counties
 Railway Co. (Ap)
 Reynell v. Sprye (Ap)
 Vaughan v. Vanderstegen }
 Gates v. Lord Dunboyne }
 Price v. Griffith (Ap)
 Coope v. Carter (Ap)
 Bayden v. Watson } (Ap)
 Lardner v. Paine }
 Hamilton v. Bankin (Ap)
 Saunders v. Hamilton (Ap)
 Swift v. Grazebrook (Ap)
 Robinson v. Robinson (Ap)
 Gaston v. Frankum (Ap)
 Bell v. Rea } (Ap)
 Rea v. Bell }
 Ward v. Martin (2 Aps)
 Weaver v. Grant (2 Aps, Ptn)
 Haigh v. Gray (Ap)
 Duke of Leeds v. Earl Amherst
 (Ap)

Thornes v. Harper (Ap)
 Watts v. Symes }
 Same v. Hernaman } (Ap)
 Seagrave v. Pope (Ap)
 Jones v. Lewis } (Ap)
 Same v. Owen }
 Mayor, &c. of Berwick v.
 Murray (2 Aps)
 Percival v. Caney (Ap)
 Newman v. Hutton (Ap, M)
 Ogle v. Morgan (Ap)
 Allen v. Wilson (Ap)
 Miller v. Priddier (Ap)
 Sharp v. Taylor (Ap)
 Letts v. Corn Exchange Co.
 (Ap)
 Blenkinsopp v. Blenkinsopp
 (Ap)
 Wellesley v. Wellesley (Ap)
 Powell v. Dodson (Ap)
 Evans v. Evans (Ap)
 Barnett v. Sheffield (2 Aps)
 Fairthorne v. Davis (Ap)
 Follett v. Jeffereyes (Ap)
 Bryan v. Mansion (Ap)
 Waters v. Mynn (Ap)
 Langdale v. Gill (Ap)
 Jones v. Parry (Ap)
 Spooner v. Vayne (Ap)
 Kynaston v. Lancashire and
 Yorkshire Railway Co. (Ap)
 Same v. Same (Ap)
 Hervey v. Hewitt (Rehear.) }
 Same v. Oliphant (F D) }
 Chappel v. Rees (Ap)
 M'Intosh v. Great Western
 Railway Co.

Before Vice-Chancellor KNIGHT BRUCE, at Westminster.

M'Intosh v. Great Western
 Railway Co. (E, 3 sets)
 Groves v. Young
 Hutchins v. Hutchins (pt. hd.)
 Gibbon v. Fletcher
 Hallen v. Lloyd (Cl)
 Roakes v. Upperton (2 caus.)
 Henning v. Mayo (Cl)
 Napper v. Dendy
 Rose v. Smith (Cl) June 9
 Jones v. Price
 Knight v. Vickers
 Farquhar v. Addington
 Barnes v. Brookhouse (Cl)
 Forshaw v. Rae (Cl)
 Bowyer v. Phillips (Cl)
 Moginie v. Stuart
 Great Western Railway Co. v.
 Bowyer
 Story v. Johnson (F D)
 Ridler v. Yearsley
 Singleton v. Bulmer
 Brown v. Freeman (Cl)

Lewin v. Kellett
 Oldnall v. Smith (2 causes)
 Humphries v. Freedy
 Sankey v. Sayer (Cl)
 Clarke v. Day (Cl)
 Sweeting v. Allnutt } June 9
 Rust v. Allnutt }
 Fenner v. Boag
 Close v. Close
 Milner v. Wakefield (Cl)
 Cath v. Gold (Cl)
 Peak (pauper) v. Peak
 Freedy v. Bedington (Cl)
 Westcott v. Cary
 Sheaf v. Cave (Cl)
 Horn v. Nightingale (Cl)
 Lovitt v. Kelsey (Cl)
 Gabriel v. Ralston (Cl)
 Nash v. Hutt (Cl)
 Day v. Everitt (Cl)
 Rackham v. Cooper (Cl)
 Doyle v. Collins
 Heale v. Knight (Cl)

Sharman v. Egar (Cl)
 Gould v. Robertson (Cl)
 Braithwaite v. Hutchinson (Cl)
 Humble v. Cooper (Cl)
 Drury v. Merivale
 Williams v. Thompson (Cl)
 Mills v. Mills (Cl)
 Inge v. Birmingham and Ox-
 ford Railway Co. (Cl)
 Flamanck v. Boord
 Stannett v. Burrows (Cl)
 Potts v. Thames Haven Dock
 and Railway Co. (Cl)
 Garden v. Ingram (Cl)
 Needham v. Carpenter (Cl)
 Terry v. Nettleton (2 Cls)
 Heaps v. Leadman
 Ashford v. Ridley (Cl)
 Att.-Gen. v. Johnson (F D, C)
 Tennant v. Mason (Cl)
 Stevens v. Blyth (F D, Cau.)
 Habershon v. Vardon (F D)
 Buckell v. Hardey (F D)
 Marshall v. Sladden (E)
 Same v. Salk (F D)
 Hart v. Tulk (F D, Ptn)
 Tulk v. Hart (F D)
 Squire v. Clunes (F D)
 Rollins v. Groom (F D)
 Shipton v. Rawlins (F D)
 Villebois v. Villebois (E)
 Grover v. Birmingham (F D)
 Mossop v. Jenkins (F D)
 Blane v. Bell (F D)
 Oliver v. Oliver (F D)
 Hornby v. Holmes (F D)
 Moore v. Darton (E)
 Same v. Same (F D)
 Barker v. Birch (E)
 Smith v. Smith (F D, C)
 Cooper v. Hollingsworth (2
 causes)
 Swaby v. Dickon (F D, C)
 Swaby v. Hamer (F D, C)
 Lock v. De Burgh (F D, C) SA
 Townshend v. Martin (E)
 Same v. Same (F D)
 Williams v. Williams (F D, C)
 Walters v. Olding (F D)
 Williams v. Hilditch (F D)
 Hobhouse v. Holcombe (E)
 Same v. Same (E, F D)
 Batts v. Frost (Cl)
 Peake v. Ledger (F D, C)
 Smith v. Marchant (Cl)
 Davis v. Wilford (F D, C)
 Garnett v. Shoesmith (Cl)
 Watkins v. Lane (Cl)
 Nichols v. Morgan (F D, C)
 Wright v. Pull (Cl)
 Dawe v. Dawe (Cl)
 Cooper v. Miller (Cl)
 Rowland v. Gale (Cl)
 Nowlan v. Walsh (F D, C)
 Same v. Wilde
 Housan v. Ellis (Cl)
 O'Brien v. Osborn
 Field v. Shephard
 Flewitt v. Lucas
 Schofield v. Cahuac
 Cort v. Keightly (Cl)
 Baker v. Read
 Lashmar v. Green
 Paschour v. Chapman (F D,
 C)
 Newman v. Gilbert (Cl)
 Thomas v. Cooper
 Greatheed v. Elliott (Cl)
 Nicholls v. Hoblyn
 Hughes v. Hughes (F D, C)
 Riches v. Stanbrough

Bashett v. Cafe (2 causes)
 Sommerville v. Bevan (Cl)
 Beaumont v. James (Cl)
 Baynam v. Jones (Cl)
 Harding v. Harding (Sp. Ca.)
 Ellis v. Luke (Cl)
 James v. Williams
 Edwards v. Brown
 Slater v. Oldknow (E)
 Oldknow v. Slater (F D)
 Harrison v. Humpage (Cl)
 Davies v. Great Western Rail-
 way Co. (2 Cls)
 Coleman v. Same (Cl)
 Probyn v. Same (Cl)
 Turner v. Same (Cl)
 Ballard v. Withers (Cl)
 Smithson v. Powell (Cl)
 Lacey v. Avery (Cl)
 Wollacot v. Johnson
 Hawthorn v. James (F D, C)
 Hook v. Bradley (Cl)
 Fesennayer v. Collett (Cl)
 Cant v. Hodges (F D, C)
 Dobson v. Land (E, F D)
 Steele v. Steele (F D, C)
 Eldridge v. Low
 Monypenny v. Dering (E, F D)
 Hill v. Parker (2 causes, Cl)
 Thornton v. Harper (Cl)
 Wake v. Wake (Cl)
 Smith v. Farley (Cl)
 Strong v. Strong
 Brown v. Brown (Cl)
 Risbrook v. Risbrook (Cl)
 Wakeman v. Hadley (Cl)
 Steel v. Maunder (F D)
 Stroud v. Plummer (Cause)
 Harrison v. Harrison (F D, C)
 Dyde v. Rendall (F D, C)
 Arden v. Copland (Cl)
 Gann v. Gregory
 Marshall v. Bremner (Cl) SA
 Cornwell v. Northam
 Gill v. Horton (Cl)
 Lee v. Brown (E)
 Slight v. Empeon
 Ayscough v. Ayscough (F D,
 C)
 Allhusen v. Sheild (Cl)
 Hoskins v. Thoms (Cl)
 Johnson v. Johnson
 Atkinson v. Randleson (Cl)
 Hulbert v. Hulbert
 Thomas v. Phillips (F D, C)
 Derbyshire v. Horne (2 caus.)
 Davies v. Barton (Cl)
 Att.-Gen. v. Shaw (F D, C)
 Robins v. Snell (2 causes)
 Bevan v. Price (Cl)
 Robinson v. Walker (Cl)
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 Corbett v. Jaundrell
 Batten v. Parfitt (F D, C)
 Sykes v. Cotton (2 causes)
 Lodge v. Pritchard
 Wright v. Freeman (Cl) SA
 Curson v. Rix (Cl)
 Hubbard v. Child (F D, C)
 Scott v. Palmer (Cl)
 Piercy v. Mudd (Cl)
 Moffatt v. Downman (Cl)
 Thomas v. Ries, alias Williams
 (Cl)
 Cornthwaite v. Frith
 Jeffreys v. Williams
 Lyne v. Calvert (3 causes)
 Middleton v. Russell (Cl)
 Ansell v. Ockleston (Cl)
 Raby v. Ridchalgh (F D, C)

- Roberts v. De Freville (Cl)
 Hartlands v. Dancocks
 Kane v. Maule (Cl)
 Riccard v. Sheppard (Cl)
 Trim v. Hubbard
 Green v. Gleaves (F D, C)
 Monypenny v. Monypenny (Cl)
 Charlton v. Charlton (Cl) SA
 Robinson v. Woodward
 Emmott v. Emmott (2 causes)
 King v. Savery (2 causes)
 Kempe v. Kempe (Cl)
 Wilson v. Littler
 Earl of Ashburnham v. Eastern Union Railway Co. (Cl)
 Bower v. Staples (Cl)
 Taylor v. Armstrong (Cl)
 Burbidge v. Cotton
 Jeffreys v. Taylor (Cl)
 Sherson v. Le Blanc (2 causes)
 Shipman v. Chattock (2 caus.)
 Thackwell v. Gardiner (2 cau.)
 Harper v. Munday
 Jackson v. Barr (Cl)
 Collings v. Wood (Cl)
 Hawks v. Hawkes (Cl)
 Tewart v. Lawson (2 causes) SA
 Newton v. Lamb
 Anderson v. Arnold (Cl)
 Mayor of Rochester v. Lee (Equity reserved)
 Spackman v. Spencer (F D, C)
 Ward v. Ward
 Swanger v. Gardner (F D, C)
 Powell v. Smithson (Cl)
 Hextell v. Cheate
 Messenger v. Messenger (Sp. case)
 Williams v. Rees (F D, C)
 Gilliard v. M'Dowell (Cl)
 O'Brien v. Lord Kenyon (F D, C)
 Drosier v. Brereton
 Lea v. Grundy (F D, C)
 Williams v. Williams (Cl)
 Gedge v. Neville (F D, C)
 Walter v. Harvey (Cl)
 Carder v. Barnard (Cl)
- Cato v. Irving (Special case)
 Otter v. Brewer (F D, C)
 Lawrence v. Freeland (Cl)
 Chorley v. Cuff
 Williams v. Clark (F D, C)
 Price v. Lawrence (Cl)
 Robins v. Barron (F D, C)
 Taylor v. Frobiasher (Sp. case)
 Finch v. Secker (F D, C)
 Speckman v. Holbrook
 Norris v. Sandford (F D, C)
 Williams v. Griffiths (F D, C)
 Webster v. Wilson
 Att.-Gen. v. Croft (F D, C) SA
 Surman v. Drinkwater (Cl)
 Whiteside v. Robinson SA
 Munday v. Waghorn
 Weems v. Buckley
 Phillipson v. North SA
 Jackson v. Huxtable SA
 Nickson v. Lloyd
 Anderson v. Milward SA
 Webb v. Webb (Cl)
 Boys v. Richardson (Cl) SA
 Mumford v. Gee (Cl)
 Richardson v. Merryfield (F D, C)
 Brittain v. Brittain (Cl)
 Bowers v. Lamond (Cl)
 Jenkin v. Row (Cl)
 Wilson v. Edmondson SA
 M'Calmont v. Rankin (F D, C)
 Kough v. Westmacott (Cl)
 Wright v. Moore
 Seaman v. Rackham (Cl)
 Cumming v. Bishop (F D, C)
 Kirk v. Helsby (Cl)
 Clarke v. Clarke (2 causes)
 Brewster v. Candler (Cl)
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 Cocker v. Horn
 Gascoyne v. Lambe (F D, C)
 Bishop v. Blair
 Powys v. Martin
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 Jackson v. Silver (Cl) SA
 Attorney-Gen. v. Burgeses of Sheffield SA
 Trinder v. Wasbrough (2 Cls.)
- Society for the Enlargement of Chapels, &c. v. Barlow
 Jones v. Morrall (F D)
 Bickford v. Bickford (E)
 Sewell v. Monypenny
 Bohn v. Bohn (F D)
 Johnson v. Farris (Cl)
 Miles v. Durnford
 Whitwell v. Vipan (2 Cls)
 Birch v. Joy (E)
 Stapleton v. Stapleton (Cl)
 Gray v. Gray
 Bennett v. Burrell
 Hand v. Wells (Cl)
 Eales v. Pitt
 Rackstraw v. Meacher (F D, Ptn)
 Bethane v. Leggatt (F D)
 Thorold v. Bailey (Cause, Ptn)
 Forbes v. Kemahead
 Pierce v. Griffiths (F D)
 Atkinson v. Gylby (E, F D)
 Barker v. Attorney-Gen.
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Greenway v. Broomfield (F D)
 Parkyn v. Wightwick
 Collett v. Newnham
 Owen v. Derbyshire (Cl)
 Gabriel v. Stratton
 Hardy v. Hull (F D)
 Panter v. Panter
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 Bush v. Windey (E, 2 sets)
 Mayor, &c. of Berwick v. Murray
 Calvert v. Sebright (E)
 Middleton v. Middleton (F D)
 Frost v. Hilton
 Symonds v. Winston (F D)
 Lewis v. Smith (F D)
 Williams v. Symonds (F D)
 Whitworth v. Brogden (3 ca.)
 Putt v. Putt (F D, C)
 Roberts v. Roberts (F D, C)
 Alice Fletcher v. Moore
 Ball v. Barker (F D)
 Oddie v. Tattersall (F D)
 Aufre v. Hill (E, F D)
 Brown v. Smith (E)
 Brown v. Paul (2 causes)
 Fazakerley v. Gillibrand (E, F D)
 Fletcher v. Gerrard (2 causes)
 Att.-Gen. v. Wilshere (F D)
 Hole v. Gedge (F D)
 Polley v. Seymour (F D)
 Gleadon v. Hull Glass Co. (F D)
 Stockwell v. Goldsborough (2 Cls)
 Hiles v. Moore (E, Ptn)
 Bradley v. Munton (E, Cau.)
 Sturgis v. Arrowsmith (F D)
 Randall v. Parkinson (F D)
 Wilkinson v. Hartley (E)
 Same v. Same (F D)
 Waldron v. Sloper (Cl)
 Clarke v. Font (F D, C)
 Stapleton v. Stapleton (Special case)
 Goodale v. Goodale
 Kensit v. Stratford (F D, C)
 Rose v. Gould (F D, C)
 Attorney-Gen. v. Trevalyan
 Langton v. Duke of Portland (Cl)
 Gardner v. Smithson (Cl)
 Vigurs v. Vigurs (E)
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 Reeves v. Nevell (F D)
- Butterfield v. Heath (E)
 French v. Eckett (Cl)
 Bishop v. Suter (Cl)
 Johnson v. Johnson (F D, C)
 Jennings v. Paterson (Cl)
 Blackett v. Lamb (Sp. case)
 Dobson v. Lascelles (Cl)
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 Hobden v. Molineux
 Harrop v. Stabbing (Cl)
 Statham v. Holme
 Kebbell v. Samma }
 Same v. Norris }
 Davis v. Gray (E)
 De Caulier v. Druce (Cl)
 Johnson v. Johnson (Cl)
 Jones v. Parry (Cl)
 Creason v. Robinson (Cl)
 Green v. Haywood (Cl)
 Sinclair v. Jackson
 Arthur v. Arthur (Cl)
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 Hampton v. Crake
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 Hanchet v. Thurgood (Cl)
 White v. Jackson (F D, C)
 Poole v. Gordon
 Aldebert v. Sams
 Upton v. Havill
 Jackson v. Brooke (F D, C)
 Tompkins v. Waters (Cl)
 Pope v. Pope (Special case)
 Seymour v. Ellman (Cl)
 Clarke v. Gags (Cl)
 Zulasta v. Tyrie
 Nixon v. Phillips (Cl)
 Hollingworth v. Shakeshaft (2 causes)
 Andrews v. Same
 Light v. Everingham (Special case)
 Lennard v. Matthews (Cl)
 Toulmin v. Reid
 Stephens v. Williams (Cl)
 Blake v. Grand Surrey Canal Co.
 Emans v. Greenhill
 Gooding v. Read (Cl)
 Bailey v. Boul (Cl)
 Bell v. Rea (E)
 Tweedy v. Repper, otherwise Ripper (Cl)
 Tweedy v. Harvey (Cl)
 Thomas v. Bell (Cl)
 Dicken v. Aldersae (Cl)
 Shannon v. Isaacs
 Mayor, &c. Borough of Hythe v. East (Cl)
 Gilpin v. Magee (Cl)
 Wellesley v. Wellesley (E)
 Countess of Mornington v. Earl of Mornington
 Halford v. Staines (F D)
 Same v. Same (Cause)
 Granville v. Betts (2 causes)
 Thompson v. Goodhart (Cl)
 Selby v. Pailey (Cl)
 Sanderson v. Trollope
 Sandell v. Sandell (Cl)
 Bower v. Cunningham (Cl)
 Twining v. Twining (Rehear.)
 Shea v. Boschetti (Cl)
 Douthwaite v. Douthwaite (Cl)
 Gregory v. Harries (Cl)
 Stuart v. Lloyd
 Leigh v. Mosley (Special case)
 Lord Lonsdale v. Count de Zechy Ferraris

Before Vice-Chancellor Lord CRANWORTH, at Westminster.

- Preston v. Liverpool, Manchester, and Newcastle-upon-Tyne Railway Co. (D)
 Same v. Same (Leeman's D)
 Lloyd v. Lowndes (D)
 Daintre v. Tracy (D)
 Robinson v. Lamond (E)
 Pollard v. Doyle (2 Ds)
 Smith v. Stanley (E)
 Dean v. Morris (E)
 Macintyre v. Connell (E)
 Egerton v. Earl Brownlow (D)
 Attorney-Gen. v. Cozens and Hardy (Want of parties)
 Rew v. Lane (E)
 Penny v. Goode (E)
 Clements v. Bowes (D)
 Wood v. Dench
 Sewell v. Murray (E, part hd.)
 Palmer v. Goren (2 causes)
 Langham v. Richardson
 Monro v. Proctor
 Steele v. Steele
 Smith v. Smith (2 causes)
 Flight v. Camac (E)
 Bird v. Bird (E, F D)
- Travis v. Newton
 Davis v. Greenlaw
 Navulshaw v. Brownrigg
 Newman v. Warner (E, F D)
 Noble v. Page
 Harcourt v. Seymour (3 cau.)
 Seymour v. Lord Vernon (4 causes)
 Matthews v. Venables (F D, Cause)
 Coleman v. Smythies (F D)
 Lloyd v. Twining (F D)
 Gardner v. Perry
 Adey v. Arnold (F D)
 Pugh v. King
 Nelson v. Hopkins
 Deighton v. Wheeler
 Duchess de Stacpools v. Lodge (2 causes)
 Alliborne v. Walker (3 causes)
 Fickin v. Webb (F D)
 Walter v. Corpe (F D)
 Lilley v. Medleycott
 Lilley v. Lilley
 Attorney-Gen. v. Andrews
 Gibson v. Gibson
 Galland v. Watson (F D)
 Lord v. Weightwick (E, F D)

- Waggett v. Welsh (Cl)
 Hall v. Langley (Cl)
 Pearce v. Wrighton (Cl)
 Marshall v. Nadin
 Eaton v. Eaton (2 causes)
 Davies v. Griffiths (Cl)
 Boothby v. Graves (F D, C)
 Wood v. Leach
 Drosier v. Brewerton
 Dennitt v. Elwick (Cl)
 Winter v. Elwick (Cl)
 Smart v. Long (Cl)
 Cockell v. Taylor
 Langworthy v. Church (Re-hearing) SA
 Tuck v. Tuck (F D, C)
 Bristow v. Fuller (Cl)
 Jeffries v. Biggs (Cl)
 Bird v. Smith (F D)
 Nottidge v. Ripley
 Lake v. Currie (Cl)
 Jackson v. Jackson (Sp. case)
 Alepson v. Gramalt (Cl)
 Ashford v. Haines (Cl)
 Goodman v. Iose
 Skull v. Skull (Cl)
 Crump v. Crump (Cl)
 Gregory v. Simmons (Cl)
 Long v. Watkinson (F D, C) }
 Long v. Long (Cause)
 Moorhouse v. Colvin
 Williams v. Powell (E) }
 Same v. Same (F D, C) }
 Blakiston v. Browne (F D, C)
 Ives v. Desormeaux (Cl)
 Simes v. Langridge (Cl)
 Ford v. Stuart (3 causes)
 Barlow v. Worthington (Cl)
 Fletcher v. Windsor
 Ridley v. Tiplady
 Smith v. Lawrence (Cl)
 Stephens v. Leach (Cl)
 Hughes v. Pride (F D, C)
 Denis v. Denis (Cl)
 Ainsworth v. Alman (Special case)
 Gabbitts v. Saunders (Cl)
 Thornton v. Ellis (F D, C) }
 Same v. Same (Cause) }
 Preston v. Collett
 Allcock v. Allcock (Cl)
 Morgan v. Earl of Home (Cl)
 Scobell v. Hornbrook (Cl)
- Reeves v. Seymour (Cl)
 Ashton v. Withnell
 Mortimer v. Watts (Sp. case)
 Fearon v. Desbrisay
 Gray v. Gray } (F D, C)
 Butler v. Oxenham }
 Vardon v. Andrus
 Vincent v. Watt
 Holder v. Holder SA
 Meyer v. Collins (F D, C)
 Bush v. Perrin
 Haverfield v. Griffith (Cl)
 Williams v. Lewis
 M'Gacken v. Dew }
 Dew v. M'Gacken }
 Holbrook v. Fley (Cl)
 Paul v. Roy
 Eccles v. Hewitt (Cl)
 Barlow v. Barlow (Cl)
 Rigby v. Chamberlaine (Cl)
 Shores v. Shores (Cl)
 Lowe v. Plant
 Annesley v. Mogg
 Dempster v. Dempster
 Baxter v. Loah (Special case)
 Horlock v. Horlock (Cl)
 Sims v. Kelling (Cl)
 Hatchard v. Hatchard (F D, C) SA
 Whitehead v. Lynes
 Enderby v. Enderby
 Cave v. Cave
 Bond v. Sturgis SA
 Penny v. Musson (Cl)
 Selby v. Bird (Cl) SA
 Hitchcock v. Jaques (F D, C)
 Rutson v. Rokes SA
 Edwards v. Burt
 Houlder v. Webb (F D, C)
 Brophy v. Bellamy (F D, C)
 Grimston v. Oxley (2 causes)
 Lethbridge v. Thurlow (Sp. case)
 Berry v. Bryant (F D, C)
 Stanley v. Yardley (Cl)
 Toogood v. Robins (3 causes)
 Sergison v. Hastings SA
 Jamieson v. Pinnager (Cl)
 Pearce v. Pearce (F D, C)
 Barron v. Bradshaw (F D, C)
 Brightwell v. Hamer (F D, C)
 Bryan v. Colline
 Platel v. Stapleton (2 Cls).
- Hull v. Grimshaw (Cl)
 *Albinson v. Pendlebury
 Granger v. Reeves (Cl)
 Halden v. Halden (Cl)
 Chesterman v. Mann
 Richards v. Richards (Cl)
 *Basil v. Lister
 *Hull v. Hull
 Skinner v. Claridge (Cl)
 Wright v. Chaffers (2 causes)
 Wilmer v. Kidd
 Evans v. Evans
 Wilkinson v. Wilkinson
 *Wright v. Allen (Cl)
 *Lincoln v. Windsor
 *Bromitt v. Moore (Cl)
 *Wilkinson v. Fowkes
 *Paterson v. Cuel (Cl)
 Wright v. Lamb (Cl)
 Barnard v. Barnard (Cl)
 Grange v. Smith (Cl)
 Pearce v. Williams (Cl)
 Lee v. Lee } (3 causes)
 Lys v. Same }
 Winnall v. Henney (Cl)
 Moore v. Frances (2 causes)
 Higginson v. Higginson (Cl)
 Brown v. Sewell
 Eccles v. Cheyne (Cl)
 *Hayward v. Price (Cl)
 Hopkins v. Haynes
 Harrison v. Randall (3 causes)
 Esthaugh v. Collins (Cl)
 Brown v. Randall (3 Cls)
 Olding v. Long (Cl)
 Lee v. Berriman (Cl)
 Smith v. Bertrup (Cl)
 Waterhouse v. Stansfield (Cl)
 Dawe v. Dawe (Cl)
 Watts v. Russell
 Anderson v. Guichard (Cl)
 Baskett v. Skeel (Cl)
 *Stevens v. Wilkinson (Cl)
 Bealey v. Hull (Cl)
 Smith v. Hurst (2 causes)
 Mercer v. Dyson
 Nash v. Hodgson (Cl)
 *Parry v. Parry
 *Gregory v. Wilson
 *Wilkinson v. Standage
 Cawsey v. Cawsey (Cl)
 Russell v. Jackson
 Corfield v. Wace (Cl)
 Abbott v. Calton (Cl)
 *Bettington v. Jolliffe (Cl)
 South-eastern Railway Co. v. Duerr
 Chant v. Brown
 *Payne v. Cooke (Cl)
 *Lambie v. Lambie (Cl)
 Saward v. Tillett
 *Hervey v. Cooke
 *Porter v. Hannam (Cl)
 Oxford v. Gibson (Cl)
 Whitworth v. Rhodes (2 cau.)
 Burnett v. Martin (Cl)
 *Newman v. Mather
 *Harvey v. Burrows (Cl)
 *Smith v. Mules
 *Knight v. Knight (Cl)
 Bolton v. Michel (Cl)
 Hirst v. Schofield (Cl)
 *Jones v. Maggs (Cl)
 *Nettleton v. Nettleton
 *Sergison v. Adey
 Cobb v. Duck
 *Chivers v. Wood (Cl)
 *Page v. Cox
 Welch v. Callis (Cl)
 Kewitt v. Loosemore
 Norbury v. Green
- Sawyer v. Duncan (Cl)
 Douglas v. Horton
 Franks v. Franks (Cl)
 *Dennett v. Pepper (Cl)
 Bates v. Fenwick (Cl)
 *Bates v. Bates
 Life v. Watson
 Sherwood v. Vincent
 Chapman v. Great Northern Railway Co. (Cl)
 Luger v. Butler
 Gardy v. Hodges (Cl)
 Turnbull v. Wawn (Cl)
 *Stringer v. Stagg (Cl)
 Curling v. Newton
 *Catlin v. Brown
 *Grand Trunk or Stafford and Peterborough Union Railway Co. v. Brodie
 *Same v. Sturgis
 *Mayor, &c. of Huntingdon v. Great Northern Railway Co. (Cl)
 *Carlton v. Mercer (Cl)
 Vernal v. Vernal
 Goode v. West (Cl)
 Pottle v. Beaman (Cl)
 *Allen v. Crawshaw
 *Hughes v. Wells (3 causes)
 Webster v. Taylor
 *Champion v. Mayor, &c. of Gravesend (Cl)
 *Long v. Storie
 Williams v. Roper (Cl)
 Godwin v. Scorey (Cl)
 Tyler v. Evans (2 causes)
 Evans v. Evans
 Parker v. Lake (Cl)
 Tweedale v. Johnson (Cl)
 Pike v. Bullock (Cl)
 Aiklin v. Thwaites
 Blaxland v. Blaxland
 Webber v. Webber (Cl)
 Hazeldine v. Cragg
 *Last v. Goldsmith
 *Jones v. Fleming (Cl)
 Nathan v. Brandon (2 causes)
 *Fryer v. Durant (Cl)
 *Smith v. Pollard (Cl)
 *Pearce v. Moybew (Cl)
 Salmon v. Lunn (Cl)
 Andrews v. Patzcker (Cl)
 *Higgs v. Magnay (Cl)
 *How v. Hamilton (Cl)
 Richardson v. Eytan (Cl)
 Newing v. Gerard
 Crossley v. Crowther (Cl)
 Hunter v. Clark (Cl)
 *Granger v. Poole (Cl)
 Smith v. Park (Cl)
 Davies v. Holmes (F D)
 *Roumieu v. Smith
 *Billage v. Southen
 *Morrell v. Tinkler
 Watson v. Butler (Cl)
 Jones v. Great Western Railway Co. (Cl)
 *Lewis v. Gotbed (Cl)
 *Harding v. Bishop (Cl)
 Heath v. Baker
 *Neigee v. Dean (Cl)
 Burrows v. Walls
 Barnard v. Anderson
 Reeves v. Trenchard (Cl)
 *Mousley v. Agar
 *Dossell v. Cooper (Cl)
 Dyson v. Dyson
 Rogers v. Mort
 Ross v. Great Western Railway Co. (Cl)
 King v. Phillips

Before Vice-Chancellor Sir G. TURNER, at Westminster.

Causes, Claims, &c. transferred from Vice-Chancellors Knight Bruce and Lord Cranworth's Lists by order of the Lord Chancellor.

The Causes and Claims marked thus * are from Lord Cranworth's List of Causes.

- Fox v. Daly (Cl)
 Bradberry v. Broadhead M. T.
 Pike v. Barber
 *Trollope v. Trollope
 Luntley v. Hoby Mich. T.
 *Brown v. Barnes
 *Beaden v. King
 Fordham v. Wallis (2 causes)
 Att.-Gen. v. Great Northern Railway Co.
 *Attorney-Gen. v. Bishop of Worcester
 Robins v. Hobbs (Cl)
 Maynard v. Higgins Mich. T.
 Craddock v. Tavenor (Cl)
 Buckingham v. Dunn (Cl)
 *Taylor v. Cargill
 *Burchinshaw v. Roberts
 Cooper v. Knox
- *Bakewell v. Brotherton (Cl)
 *Dalgleish v. Jarvie
 Bridges v. Mawe (Cl)
 *Askew v. Millington
 Mumford v. Smith (Cl)
 Thompson v. Milbourn (Cl)
 Dutton v. Colston (3 causes)
 Pittman v. King (Cl)
 Chamberlain v. Hughes (Cl)
 Masters v. Page (Cl)
 *Withers v. Birmingham and Oxford Junction Railway Co.
 *Moore v. Welham
 Devey v. Thornton
 Finney v. Mackintosh (Cl)
 Burt v. Westbrook (Cl) A. T.
 Webb v. London and Portsmouth Railway Co. (Cl)

Bell v. Edginton (2 Cls)
 Ravenhill v. Lloyd (Cl)
 *Tanner v. Higham (Cl)
 *Hughes v. Morris (2 causes)
 Uaborns v. Strutt
 Crosse v. Lawrence (Cl)
 Same v. Keene (Cl)
 Same v. Young (Cl)
 Same v. Rennie (Cl)
 Same v. Phillips (Cl)
 Same v. Protheroe (Cl)
 Cottingham v. Doughty (Cl)
 *Blakey v. Duke of Montrose
 *South Wales Railway Co. v. Clarke
 Wilks v. Penton
 Oldfield v. Lord Seymour (Cl)
 *Smith v. Shave (Cl)
 *Att.-Gen. v. Hull (2 causes)
 Jackson v. Craig (Special case)
 Storer v. Smith
 Hertzel v. Smith
 Colchester, Stour Valley, &c. Railway Co. v. Gooday (Cl)
 *Towns v. Farmer (Cl)

*George v. Wilkinson (Cl)
 *Millicar v. Vanderplank (Cl)
 Johnes v. Jones
 Smith v. Stewart (Special case)
 Powell v. South Wales Railway Co.
 Holloway v. Poole (Cl)
 Rice v. Rice
 *Drury v. Merrivale (Cl)
 Ford v. Ford
 Tatham v. Platt
 Sugden v. Myers (Cl)
 Fox v. Blight (Cl)
 *French v. Eskett (Cl)
 Hall v. Mott
 Surtees v. Irving (Cl)
 Rochford Hackman (Cl)
 White v. Soewen (Cl)
 Gregory v. Cross (Cl)
 Gordon v. Henning (Cl)
 Falkner v. Grace (Sp. case)
 East v. Twyford
 Newman v. Clutton (Sp. case)
 Edwards v. Hall (Cl)
 Bradwell v. Bolton (Cl).

Lord v. Ryle (Cl)
 London & South-western Railway Co. v. Manfield (Cl)
 Godson v. Turner
 Cleobury v. Turner (Ptn)
 Pickersgill v. Pickersgill (Cl)
 Earnshaw v. Earnshaw (Cl)
 Minn v. Stant
 Bailey v. Ward (Cl) & A
 Attorney-Gen. v. Chambers
 Attorney-Gen. v. Rees
 Hall v. Hall (E)
 Foley v. Smith
 Foley v. Smith
 Eardley v. Owen (6 causes, F D, C)
 Dimsdale v. Hutton (Cl)
 Parker v. Turner (Cl)
 Bryant v. Blackwell } (F D,
 Rose v. Blackwell } C)
 Crallan v. Oulton (6 causes, F D, C)
 Peatfield v. Benn }
 Peatfield v. Rigbye }
 Irwin v. Dimes
 Turner v. Turner
 Laurie v. Clutton
 Laurie v. Laurie }
 Cooke v. Lamotte
 Fell v. Jones (5 causes, F D, C)
 Bartlett v. Patten
 Greenwood v. Roberts (Special case)
 Macdonald v. Walker (Special case)

Harris v. Farwell (E)
 Anthony v. Simmons (Cl)
 Att.-Gen. v. Corporation of Chester } (E, F
 Same v. Same } D, C,
 Harvey v. Read } Ptn)
 Dowding v. Bartley (7 causes, F D, C)
 Bain v. Cameron
 Caledonian Railway Co. v. Naylor (Cl)
 Norris v. Wright
 Mason v. Gallimore (Cl)
 Keddell v. Keddell (Cl)
 Davies v. Browne (8 causes, F D, C)
 Penruddock v. Hammond }
 Penruddock v. Pitt }
 Hayward v. James
 Duke of Devonshire v. Elgin
 Ballenger v. Hawes } (E, F D,
 Beek v. Denis } C)
 Thrustans v. Smith
 Heath v. Samson
 Att.-Gen. v. Wright } (F D,
 Same v. Same } C)
 Hancock v. Amor (Cl)
 Davis v. Barrett
 Mathew v. Brise
 Lucena v. Parkes }
 Lucena v. Sturgis }
 Littlewood v. Webster
 Barton v. Terrell
 Jolly v. Gould (F D, C)
 Scott v. Wheeler.

Kells Court.

JUDGMENTS RESERVED.
 Bush v. Watkins (Cause)
 Morgan v. Morgan } Re-
 Morgan v. Pulman } hearing
 Lines v. Pulman }
 PLASAS AND DEMURRERS.
 Dean and Chapter of Ely v. Gayford (6 Pls) S O
 Minn v. Stant S O

CAUSES.
 Gas-light Co. v. Symonds (3 causes, F D, C) S O
 Morgan v. Morgan (3 causes, E) S O
 Hele v. Bexley } (E, F D, C)
 Same v. Same }
 Attorney-Gen. v. Colegrave
 Attorney-Gen. v. Mayor of Gloucester
 Gooch v. Gooch } (F D, C,
 Gooch v. Clarke } Ptn)
 Rice v. Gordon (5 causes, F D, C)
 Littlewood v. Webster
 Mackason v. Pope (5 causes, F D, C)
 Massey v. Carvick }
 Massey v. Carvick }
 Betts v. Barrow
 Bell v. Jones
 Bligh v. Great Western Railway Co.
 Rose v. Rose
 Dunn v. Stoke (3 causes, F D, C)
 Trye v. Corporation of Gloucester (F D, C)
 Thorpe v. Duke (F D, C)
 Brown v. Cross
 Duvall v. Mount (E)
 Heaton v. Dale
 Leer v. Butterfield }
 Leer v. Edwards }
 London Gas-light Co. v. Spottiswoode
 Bolton v. Powell }
 Howard v. Earle }
 Lord Stuart v. London and North-western Railway Co. (Cl)
 Grundy v. Finniger

Reece v. Greene
 Early v. Middleton (Cl)
 Withers v. Boys
 Lord Crewe v. Robson (E, F D, C)
 Jackson v. Jackson (4 causes, F D, C)
 Bentley v. Mackay (E, F D, C)
 Ellis v. Maxwell (5 causes, F D, C)
 Grace v. Carden }
 Grace v. Evans }
 Grace v. Hood }
 Lees v. Laforest }
 Lees v. Laforest }
 Peters v. Beer
 Young v. Hudson
 M'Donnell v. Heslridge
 Brown v. Oakshott (3 causes)
 Fuller v. Green
 Pickard v. Mitchell } (F D,
 Wilcock v. Mitchell } C, Ptn)
 Douglas v. Andrews (6 causes, F D, C)
 Hanbury v. Hussey
 Lake v. Pearce (Cl)
 Johnson v. Thomas }
 Simpson v. Thomas }
 Jodrell v. Jodrell }
 Wilson v. Eden (F D, C)
 Sirdefield v. Thacker
 Blake v. Blake (3 causes)
 Davis v. Barrett (3 causes)
 Rennie v. Nicholl
 Noble v. Meymott
 Wright v. Nixon (Cl)
 Sayer v. Collard
 Davenport v. Charlesworth } (F D,
 Charlesworth v. Man- } C)
 Charlesworth v. Verity
 Weymouth v. Taylor
 Grimwood v. Gable (Cl)
 Read v. Strangways (3 causes, F D, C)
 Trilley v. Keefe
 Clayton v. Garnet (Cl)
 Vickers v. Shaw (Cl)
 Dudman v. Jordan } (E, F D,
 Dudman v. Sheriff } C)
 Harris v. Mott

London Gazette.

TUESDAY, MAY 27.

BANKRUPTS.

DAVID BURBERRY, Newdigate, Surrey, wood dealer, carrier, lime burner, dealer and chapman, June 10 at half-past 11, and July 10 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Sharpe & Co., 41, Bedford-row.—Petition filed May 23.
 FREDERICK RODBARD, Croydon, Surrey, schoolmaster and lodging-house keeper, dealer and chapman, June 5 at 12, and July 11 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lowless & Nelson, 2, Hatton-court, Threadneedle-st.—Petition dated May 26.
 CHARLES CHAPLIN, Sudbury, Suffolk, printer, book-seller, and stationer, dealer and chapman, June 4 at 11, and July 1 at half-past 12, Court of Bankruptcy, London: Off. Ass. Staasfeld; Sols. Thorndike & Smith, 11, Staple-inn, London.—Petition filed May 23.
 WILLIAM WATSON, Salisbury-court, Fleet-st., London, licensed victualler, dealer and chapman, June 5 at half-past 11, and July 11 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Holt, 13, Chatham-place, Blackfriars.—Petition dated May 24.
 WALTER LONG BOZZI GRANVILLE, Red Lion-sq., Middlesex, agricultural implement maker, dealer and chapman, June 10 at 1, and July 8 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Tripp, 2, Adelaide-place, London-bridge.—Petition filed May 24.
 RICHARD MOORE, Sun Tavern-fields, St. George's-in-the-East, and Ashchurch-villas, New-road, Hammersmith, Middlesex, commission agent, beer retailer, dealer and chapman, June 10 at 12, and July 8 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrence & Co., 14, Old Jewry-chambers, Old Jewry.—Petition filed May 24.
 ROBERT CRAIG, Brynmawr, Breconshire, draper and tea dealer, June 11 and July 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed May 24.
 JAMES COBB, Preston, Lancashire, innkeeper, dealer and chapman, June 6 and 26 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Blackhurst & Son, Preston.—Petition filed May 26.

MEETINGS.

Thomas Walley and *Philip W. Hardwick*, Oxford-street, Middlesex, linendrapers, June 6 at half-past 11, Court of Bankruptcy, London, pr. d.—*Richard Dearie*, Charles-street, Soho-sq., Middlesex, licensed victualler, June 7 at 1, Court of Bankruptcy, London, ch. ass.—*John Hollingworth*, Kingston-upon-Hull, June 25 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Richard Boyle* the younger, Kingston-upon-Hull, merchant, June 25 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and div.—*John B. Warcup*, Broadway, Deptford, Kent, ironmonger, June 19 at 12, Court of Bankruptcy, London, div.—*James Pulham*, Broxbourne, Hertfordshire, plasterer, June 14 at 11, Court of Bankruptcy, London, div.—*Henry C. Knell*, Belvedere-road, Lambeth, Surrey, timber merchant, June 14 at 11, Court of Bankruptcy, London, div.—*John K. Waits*, St. Ive's, Huntingdonshire, scrivener, June 14 at half-past 11, Court of Bankruptcy, London, div.—*Robert D'Oyly*, Moreton, Gloucestershire, scrivener, June 20 at half-past 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Walter M'Dowall, Little Queen-st., Lincoln's-inn-fields, Middlesex, printer, June 19 at half-past 11, Court of Bankruptcy, London.—*Robert Gadesden*, Brompton-square, Middlesex, coal merchant, June 19 at half-past 12, Court of Bankruptcy, London.—*Richard B. Colman*, Regent-street, Middlesex, court milliner, June 14 at 12, Court of Bankruptcy, London.—*Wm. J. Hawley*, Richard-st., Woolwich, Kent, grocer, June 16 at 12, Court of Bankruptcy, London.—*Mary Astle*, widow, *Joseph Thomas Astle*, *George Astle*, and *Charles Astle*, Coleman-street, London, bookbinders, June 16 at 1, Court of Bankruptcy, London.—*John M'Lean*, Liverpool, commission merchant and broker, June 19 at 11, District Court of Bankruptcy, Liverpool.—*William Walker*, Saltmarsh Grange, Howden, and Eastington, Yorkshire, sacking manufacturer, July 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Thomas Wilson*, Manchester and Preston, Lancashire, merchant, June 19 at 11, District Court of Bankruptcy, Manchester.—*James Fletcher*, Haslingden, Lancashire, hardware dealer, June 18 at 12, District Court of Bankruptcy, Manchester.—*James Holland*, Preston, Lancashire, tallowchandler, June 18 at 12, District Court of Bankruptcy, Manchester.—*Robt. Blacker*, Ripon, Yorkshire, innkeeper, June 19 at 11, District Court of Bankruptcy, Leeds.—*John Benson Browne*, Newcastle-under-Lyne, Staffordshire, wine merchant, June 24 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Reid, King's-row, Pimlico, Middlesex, corn dealer.—*James Newland Baker*, Alton, Southampton, auctioneer.—*Wm. Wieler*, Crutched-frairs, London, merchant.—*George John Galabin*, Bartholomew-close, London, printer.—*Samuel Taylor*, Staines, Middlesex, grocer.—*James Buck*, Shrubland-cottages, Queen's-road, Dalston, Middlesex, dealer and chapman.—*John Tomlin*, Finchley-common, Middlesex, licensed victualler.—*H. E. Gerlach*, Newcastle-upon-Tyne, merchant.—*P. Van den Ende*, Strood, Rochester, Kent, woolstapler.—*Enrico Cioperi St. Clair*, Great St. Helen's, London, merchant.—*John Williams*, Strand, Middlesex, bookseller.—*C. S. Flood* and *Harry Buckland Lott*, Honiton, Devonshire, bankers.—*Thos. Guy Pocock*, Gawbridge Mills, Kingsbury Episcopi, Somersetshire, miller.—*Wm. Barlow*, Manchester, tailor.—*Thomas Dean*, Seacombe, Cheshire, chemist.

FIAT ANNULLED.

Richard Ellis, Richmond-street, Soho, Middlesex, carpenter.

PETITION ANNULLED.

Richard Jackson, Selby, Yorkshire, tanner.

SCOTCH SEQUESTERATIONS.

Alexander Campbell, Beaulieu, Inverness-shire, grocer.—*J. Hill*, Glasgow, metal broker.—*John Gow*, Edinburgh, potato merchant.—*Wm. Leitch*, Crieff, banker.—*W. Luttet & Co.*, Glasgow, musical instrument makers.—*Wm. Smith*, Edinburgh, tailor.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Davis, Wombbridge, Shropshire, draper, June 13 at 10, County Court of Shropshire, at Wellington.—*S. Bradley*, Birmingham, glass toy maker, June 7 at 11, County Court of Warwickshire, at Birmingham.—*Elias Solomon*, Birmingham, shopman to a clothier, June 7 at 11, County Court of Warwickshire, at Birmingham.—*George Chilwell*, Kingmorton, Worcestershire, attorney-at-law, June 7 at 11, County Court of Warwickshire, at Birmingham.—*William Hanman*, Birmingham, town traveller, June 7 at 11, County Court of Warwickshire, at Birmingham.—*Thomas Hill*, Birmingham out of employ, June 7 at 11, County Court of Warwickshire, at Birmingham.—*Wm. Oliver*, Portsea, Southampton, architect, June 18 at 11, County Court of Hampshire, at Portsmouth.—*Richard Richards*, Treforest, near Pontyperryd, Glamorganshire, shoemaker, June 11 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Moses*, Pontyperryd, Glamorganshire, labourer, June 11 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Richards*, Cardiff, Glamorganshire, out of business, June 11 at 10, County Court of Glamorganshire, at Cardiff.—*Wm. Colby*, Norwich, butcher, June 24 at 10, County Court of Norfolk, at Norwich.—*Ann Tuxford*, Norwich, trunkmaker and patent medicine vendor, June 24 at 10, County Court of Norfolk, at Norwich.—*William Farrell*, Norwich, grocer, July 24 at 10, County Court of Norfolk, at Norwich.—*William Baker Sarrington*, Leicester, out of business, June 11 at 10, County Court of Leicestershire, at Leicester.—*Edward Eastland*, Branston, near Lincoln, out of employment, June 14 at 10, County Court of Lincolnshire, at Lincoln.—*Frederick William Robinson*, Stamford, Lincolnshire, painter, June 16 at 10, County Court of Lincolnshire, at Stamford.—*William Hobbs* the younger, Kingsclere, Southampton, out of business, June 9 at 11, County Court of Berkshire, at Reading.—*Alfred Bellam*, Evenley, Northamptonshire, tailor, June 16 at 11, County Court of Northamptonshire, at Brackley.

Saturday, May 24.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Charles Collingridge, Cochrane-terrace, St. John's-wood, Middlesex, attorney-at-law, No. 62,148 T.; *Henry Sly*, assignee.—*John Newbegin*, Scarborough, Yorkshire, grocer, No. 73,607 C.; *John Wheldon*, assignee.—*William Ansell* the younger, Cambridge, cabinet maker, No. 73,239 C.; *Richard Harwood*, assignee.—*John Kittle Turner*, Tupley, Herefordshire, innkeeper, No. 73,322 C.; *John Bosley*, assignee.—*Joseph Alfred Lee*, Northfleet, Kent, farmer, No. 73,672 C.; *George Rose Innes*, assignee.

Saturday, May 24.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Samuel Heath, Northampton-street, St. John-street-road, Middlesex, assistant to a map seller: in the Debtors Prison for London and Middlesex.—*Henry Hall*, Seymour-place, Bryanston-square, Middlesex, dyer: in the Debtors Prison for London and Middlesex.—*John Philpot*, Victoria-road, Pimlico, Middlesex, cheesemonger: in the Queen's Prison.—*Allen Philip Hare*, Richmond, Surrey, appraiser: in the Gaol of Horsemonger-lane.—*James Black Thomson*, Leadenhall-street, London, baker: in the Debtors Prison for London and Middlesex.—*James Franklin*, Farringdon-street, London, in no business: in the Gaol of Surrey.—*Thomas Castle*, Edward-square-mews, Kensington, Middlesex, horse dealer: in the Debtors Prison for London and Middlesex.—*Thomas Cuff*, Quaker-street, Spitalfields, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*William Southin*, Cleveland-street, Marylebone, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*William Beckley Baker*, Craven-street, Strand, Middlesex, not in any trade: in the Queen's Prison.—*Reuben Brooks*, Cranbourn-street, Leicester-square, and Regent-street, Middlesex, picture dealer: in the Queen's Prison.—*William Speller*, Upper Berkeley-street West, Middlesex, plumber:

in the Queen's Prison.—*Hen. Bowdidge*, South-mews, South-street, Manchester-square, Middlesex, assistant to a livery-stable keeper: in the Debtors Prison for London and Middlesex.—*John Baker*, Wood-top, near Burnley, Lancashire, iron moulder: in the Gaol of Lancaster.—*Thomas Baker*, Church, near Accrington, Lancashire, chainmaker: in the Gaol of Lancaster.—*Thomas Emery*, Chorlton-upon-Medlock, Manchester, grocer: in the Gaol of Lancaster.—*John Forshaw*, Bolton-le-Moors, Lancashire, beerseller: in the Gaol of Lancaster.—*Edward Lee*, Horsham, Sussex, licensed victualler: in the Gaol of Petworth.—*Abraham Law*, Chorlton-upon-Medlock, Manchester, percher stiffener: in the Gaol of Lancaster.—*Timothy Ross*, Manchester, furniture dealer: in the Gaol of Lancaster.—*Thomas Smith*, Manchester, cotton manufacturer: in the Gaol of Lancaster.—*William Sherraton*, Terrington St. Clement's, Norfolk, farmer: in the Gaol of Norwich.—*John Bennett*, Sutton-hill, Sutton St. Michael, Herefordshire, farmer: in the Gaol of Hereford.—*Thomas Carver* the younger, North Ockendon, Essex, farmer and shopkeeper: in the Gaol of Springfield.—*Henry Falk*, Newcastle-upon-Tyne, dealer in watches: in the Gaol of Newcastle-upon-Tyne.—*Abraham Humphreys*, St. Asaph, Flintshire, shoemaker: in the Gaol of Ruthin.—*Henry Stait*, Gloucester, grocer: in the Gaol of Gloucester.—*Jas. Brocklesby*, Kingston-upon-Hull, grocer: in the Gaol of Kingston-upon-Hull.—*R. E. G. Johnson*, Worthing, Sussex, out of business: in the Gaol of Petworth.—*James First*, Holmfirth, near Huddersfield, Yorkshire, cloth manufacturer: in the Gaol of York.—*Roderick Morgan*, Talley, Carmarthenshire, schoolmaster: in the Gaol of Carmarthen.—*John Sykes*, Houley, near Huddersfield, Yorkshire, grocer: in the Gaol of York.—*Samuel Walley*, Birmingham, farmer: in the Gaol of Coventry.—*Wm. Duncombe*, Duntun, Buckinghamshire, farmer: in the Gaol of Aylesbury.—*Wm. H. Hawkins*, Oswestry, Shropshire, coal agent: in the Gaol of Shrewsbury.—*H. Harris*, Turweston, Buckinghamshire, farming bailiff: in the Gaol of Aylesbury.—*Wm. H. Leigh*, Cuckoo-hall, near Blackburn, Lancashire, attorney-at-law: in the Gaol of Lancaster.—*J. B. Arthy*, Springfield, Essex, attorney's clerk: in the Gaol of Springfield.—*Robert Burton*, Shepton Mallet, Somersetshire, licensed victualler: in the Gaol of Wilton.—*Edw. B. Ferris*, Exeter, Devonshire, currier: in the Gaol of Exeter.—*Wm. Johnson*, Bradford, Yorkshire, stonemason: in the Gaol of York.—*N. Jillett*, Leeds, Yorkshire, saddler: in the Gaol of York.—*Henry Leigh*, Staleybridge, near Ashton-under-Lyne, Lancashire, cotton waste dealer: in the Gaol of Lancaster.—*Thomas Sprod* the younger, Congresbury, Somersetshire, farmer: in the Gaol of Wilton.

(On Creditor's Petition.)

Edward Knight, Dunmow, Essex, farmer: in the Gaol of Chelmsford.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Monmouthshire, at MONMOUTH, June 13 at 2.

Wm. H. Parry, Chepstow, farm bailiff.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, June 14.

John Turner, Kingston-upon-Hull, licensed victualler.—*Joseph Gilding*, Broughton, out of business.—*James Brocklesby*, Kingston-upon-Hull, out of business.

At the County Court of Lincolnshire, at LINCOLN, June 14.

Sarah Elston, widow, Market Deeping, out of business.

At the County Court of Hampshire, at SOUTHAMPTON, June 17.

D. W. Clark, Southampton, out of business.

At the County Court of Hampshire, at PORTSMOUTH, June 18.

Elias Way, Portsmouth, shoemaker.

At the County Court of Gloucestershire, at GLOUCESTER, June 26 at 10.

Susannah Jackson the younger, Broad Oak, near Newnham, innkeeper.

At the County Court of Essex, at CHELMSFORD, June 12.

Thomas Carver the younger, North Ockendon, out of business.—*J. B. Arthy*, Springfield, attorney's clerk.

At the County Court of Glamorganshire, at CARDIFF, June 11.

David Watkins, Merthyr Tydvil, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Martindale, Bidborough-street, Burton-crescent, Middlesex, clerk in Somerset House: 3s. 2d. in the pound.—*Chas. M. Gurnell*, Piccadilly, Middlesex, clerk in the House of Commons: 6d. in the pound.—*George Vintner Holmes*, Alfred-place, Bedford-square, Middlesex, clerk in the Post-office: 1s. 5d. in the pound.—*Wm. Lindquist*, Wyke Regis, Dorsetshire, superannuated commander in the East India Company's Bengal Marine Service: 5s. 4d. in the pound.—*Saml. Perkins*, Wellington-st., Newington-causeway, Surrey, baker: 20s. in the pound.—*Simon Ansley*, Newington-causeway, Surrey, draper: 2s. 11d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, MAY 30.

DECLARATION OF INSOLVENCY.

JOHN HORNBLLOWER CHUNE, Coalbrookdale, Madeley, Shropshire, miller and corn dealer.

BANKRUPTS.

JOHN HAMMOND HUNT, Silver-street, London, warehouseman, dealer and chapman, June 10 and July 10 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Sole & Turner, Aldermanbury.—Petition filed May 27.

GEORGE COURTHOPE, Paradise-row, Rotherhithe, Surrey, coal merchant, June 12 at half-past 11, and July 11 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Petition dated May 29.

ROBERT CLEAVER, Stretton-on-Dunsmore, Warwickshire, timber dealer, dealer and chapman, June 9 and July 7 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Elkington, Birmingham.—Petition dated May 23.

WILLIAM HENZEY BOND, Brierley-hill, Staffordshire, wine and spirit merchant, dealer and chapman, June 9 and July 7 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Smith, Birmingham.—Petition dated May 21.

JAMES CLARK, Exeter, builder, dealer and chapman, June 11 and July 22 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Stogdon, or Geare & Co., Exeter.—Petition filed May 26.

ROGER HORTOP, Morice Town, Stoke Damerel, Devonshire, innkeeper, dealer and chapman, June 19 and July 17 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sol. Elworthy, Plymouth.—Petition filed May 22.

DAVID ION WYATT and **ELIZA UNDERWOOD**, Bristol, hat and cloth cap manufacturers, dealers and chapmen, (carrying on business under the style or firm of D. I. Wyatt & Co.), June 10 and July 8 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Salmon, Bristol.—Petition filed May 26.

JOHN SCOTT and **JOHN SCOTT** the younger, North Shields, Northumberland, ship owners, dealers and chapmen, June 13 at half-past 12, and July 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-churchyard, London.—Petition filed May 22.

RICHARD MAYOR, Bolton-le-Moors, Lancashire, wholesale and retail grocer, dealer and chapman, June 19 and July 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Tyrer, Liverpool.—Petition filed May 23.

MEETINGS.

D. G. Foster, St. John's-square, Clerkenwell, Middlesex, ironmonger, June 11 at half-past 1, Court of Bankruptcy, London, pr. d.—*Wm. Cox*, Blomfield-terrace, Harrow-road, Middlesex, stockbroker, June 11 at 11, Court of Bankruptcy, London, last ex.—*W. Sidney Warwick* and *T. W. Clagett*, Billiter-square, London, merchants, June 12 at 11, Court of Bankruptcy, London, aud. ac.; June 20 at 2, fin. div.—*Augustus Alexander Lackersteen* and *Wm. Hamilton Crake*,

Moorgate-st., London, merchants, June 14 at 12, Court of Bankruptcy, London, aud. ac., and June 20 at half-past 12, div. sep. est. of *Augustus Alexander Lackersteen*.—*W. Childenden*, Tarlington-place and Church-st., Paddington, Middlesex, draper, June 12 at 11, Court of Bankruptcy, London, aud. ac.; June 20 at half-past 1, div.—*Joseph Samuel Hodge* and *Jas. Culpin*, New Oxford-st., Middlesex, tailors, June 13 at 1, Court of Bankruptcy, London, aud. ac.; June 20 at 12, div.—*Samuel Turner Jay*, Badley, Suffolk, miller, June 11 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Robert Wm. Wright*, *Charles Davy*, and *Jacob Dixon*, Devonshire-street, Queen-square, Bloomsbury, Middlesex, goldsmiths, June 10 at 12, Court of Bankruptcy, London, aud. ac.—*John Glasspool*, Regent-st., Middlesex, ladies' boot and shoe maker, June 16 at 12, Court of Bankruptcy, London, aud. ac.—*John Whitehead*, *John Whitehead* the younger, and *George Wyatt*, Princes-street, Lambeth, Surrey, wine merchants, June 16 at 11, Court of Bankruptcy, London, aud. ac.—*Rudolph Molkentin*, Minorities, London, shoe manufacturer, June 16 at 11, Court of Bankruptcy, London, aud. ac.—*Jules Samuel Rochat*, St. Martin's-lane, Middlesex, watchmaker, June 10 at 11, Court of Bankruptcy, London, aud. ac.—*William Chadwick*, Manchester, paper manufacturer, June 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*William Simpson* and *Edmund Chadwick*, Manchester, starch manufacturers, June 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Ashworth*, Nunhills, Rossendale, Lancashire, woollen manufacturer, June 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 20 at 12, fin. div.—*Thomas Butterworth*, Greenbooth-mills, near Rochdale, Lancashire, woollen manufacturer, June 19 at 12, District Court of Bankruptcy, Manchester, aud. ac.; June 20 at 12, div.—*John Robinson*, Leighton, Pantwich, Cheshire, cheese factor, June 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Griffith Evans*, Maes-y-Pandy, Talylyn, Merionethshire, cattle dealer, June 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William May*, Liverpool, commission agent, June 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Joseph Holt*, Eccleston, near St. Helen's, Lancashire, provision dealer, June 13 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Isaac Perry Cartwright*, Nantwich, Cheshire, chemist, June 12 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Bowers*, *Joseph Bowers*, and *Sarah Ann Bowers*, Worcester, grocers, June 9 at 11, District Court of Bankruptcy, Birmingham, aud. ac. joint est., and sep. est. of *John Bowers*.—*George Parker*, Coventry, Warwickshire, carpenter, June 9 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Henry Word*, Holbeach, Lincolnshire, draper, June 13 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Meir Macsin*, Finsbury-circus, London, merchant, June 26 at 12, Court of Bankruptcy, London, fin. div.—*Thomas Greenhow* and *Cephas Foster*, Old-street, St. Luke's, and St. John-street, Clerkenwell, Middlesex, rectifiers and distillers, June 24 at 11, Court of Bankruptcy, London, div.—*Robert Hamaker*, Lofts-mill, Lofts, Essex, miller, June 24 at 12, Court of Bankruptcy, London, div.—*James Laby* and *Thomas James Laby*, Barking, Essex, coal merchants, June 24 at 11, Court of Bankruptcy, London, fin. div.—*John Dixon*, Liverpool, grocer, June 20 at 11, District Court of Bankruptcy, Liverpool, div.—*Isaac Lindo Mocatta*, Liverpool, commission merchant, June 20 at 11, District Court of Bankruptcy, Liverpool, div.—*John Taylor*, Golcar, Huddersfield, Yorkshire, commission agent, June 20 at 11, District Court of Bankruptcy, Leeds, div.—*John Firth*, Leeds, Yorkshire, linendraper, June 20 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Edwards Thompson, Long-acre, Middlesex, India rubber bath manufacturer, June 26 at 2, Court of Bankruptcy, London.—*Ann Elizabeth Hickman*, Cannon-street-road, St. George's-in-the-East, and *Moses John Hickman*, Princes-place, St. George's-in-the-East, Middlesex, undertakers, June 24 at 2, Court of Bankruptcy, London.—*John Gracie*, Bristol, woollendraper, June 24 at 11, District Court of Bankruptcy, Bristol.—*J. Mann*, Warwick, victualler, June 24 at 12, District Court of Bankruptcy, Birmingham.—*John Pearson*, Hellites, Kingwinford, Staffordshire, maltster,

June 24 at 12, District Court of Bankruptcy, Birmingham.—*Robert Moate*, West Stockwith, Misterton, Nottinghamshire, innkeeper, June 21 at 10, District Court of Bankruptcy, Leeds.—*Ralph Sheraton*, Lenton, Nottinghamshire, cabinet-maker, June 21 at 10, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Wm. Buckle, Pall-mall, Westminster, and Leadenhall-st., London, master mariner.—*Henry Matthew East*, Mark-lane, London, stationer.—*James Farley*, Liverpool, laceman.—*M. B. Bell*, Newcastle-upon-Tyne, victualler.—*Robt. Miller* and *Alex. Street*, Lancaster, builders.—*Isaac Dewhurst* and *John S. Dewhurst*, Embay, Skipton, Yorkshire, cotton spinners.—*Henry Blakeley*, Castlebromwich, Warwickshire, brick and tile dealer.—*Smith Tibbitts*, Shackburgh, Warwickshire, dealer in mineral ores.—*Stephen T. Walker*, Barrowby-lodge, near Grantham, Lincolnshire, horse dealer.—*George Parker*, Coventry, Warwickshire, carpenter.

SCOTCH SEQUESTRATION.

Janet Gilchrist, widow, deceased, Edinburgh.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Johns, Pembroke-dock, Pembrokeshire, flour factor, June 16 at 10, County Court of Pembrokeshire, at Pembroke.—*Amass Gooding*, Debenham, Suffolk, tailor, June 13 at 10, County Court of Suffolk, at Ipswich.—*Jos. Baxter*, Ipswich, Suffolk, tin-plate worker, June 13 at 10, County Court of Suffolk, at Ipswich.—*Thomas J. Unwin*, Ipswich, Suffolk, hairdresser, June 13 at 10, County Court of Suffolk, at Ipswich.—*John Perkins*, Moreton-in-Marsh, Gloucestershire, slater, June 18 at 9, County Court of Worcestershire, at Shipston.—*Joseph Hyde*, Abingdon, Berkshire, licensed victualler, June 13 at 11, County Court of Berkshire, at Abingdon.—*James C. Oldmeadow*, Cheltenham, Gloucestershire, artist, June 24 at 10, County Court of Gloucestershire, at Cheltenham.—*Thomas Warren*, Warkleigh Parsonage, Warkleigh, Devonshire, June 11 at 10, County Court of Devonshire, at Southmolton.—*Henry Obee*, Selby, Yorkshire, tailor, June 5 at 10, County Court of Yorkshire, at Selby.—*Joseph Bailey*, Harrold, Bedfordshire, shoemaker, June 20 at 2, County Court of Bedfordshire, at Bedford.—*Wm. Thyme*, Mattishall, Norfolk, saddler, June 30 at 9, County Court of Norfolk, at East Dereham.—*Frederick John George*, East Dereham, Norfolk, grocer, June 30 at 9, County Court of Norfolk, at East Dereham.—*Wm. Steele*, Trentham, Staffordshire, farmer, June 4 at 10, County Court of Staffordshire, at Stone.—*James Archer*, Sidmonton, Southampton, farmer, June 10 at 10, County Court of Berkshire, at Newbury.—*John Thomas*, Carnarvon, blacksmith, June 16 at 10, County Court of Carnarvonshire, at Carnarvon.—*Thomas Poore* the younger, Great Farringdon, Berkshire, licensed victualler, June 11 at half-past 10, County Court of Berkshire, at Farringdon.—*Charles Hunt*, Carfax, Horsham, Sussex, auctioneer, June 10 at 12, County Court of Sussex, at Horsham.—*W. Loades*, Kettlestone, Norfolk, blacksmith, June 28 at 2, County Court of Norfolk, at Little Walsingham.—*Wm. Farrall*, Tranmere, Cheshire, baker, June 27 at 10, County Court of Cheshire, at Birkenhead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 14 at 11, before the CHIEF COMMISSIONER.

George H. Fyfe, Lindhurst-place, Creek-road, Deptford, Kent, out of business.—*William Holman*, Farnham Royal, Buckinghamshire, shoemaker.—*Thomas Holman*, Farnham Royal, Buckinghamshire, shoemaker.—*Benj. Daves*, High-street, Notting-hill, Middlesex, man milliner.—*James M. Charnock*, Deverell-street, Dover-road, Surrey, plumber.—*Richard H. Marsh*, Baker-street, Lloyd's-sq., Pentonville, Middlesex, comedian.—*Chas. Brown*, Camden-st., Peckham, Surrey, clerk to a wharfinger.—*Henry Herrick*, Earl-street, London-road, Southwark, Surrey, out of business.

June 14 at 10, before Mr. Commissioner LAW.

Wm. Child, Duke-street, Aldgate, London, assistant to a grocer.—Benjamin Homer, London-street, Tottenham-court-road, Middlesex, smith.—Wm. J. Shepherd, Rahere-street, Goswell-road, Middlesex, watch cap maker.

June 16 at 10, before Mr. Commissioner LAW.

Wm. Alex. Holmes, York-cottages, York-road, Battersea, Surrey, clerk in the Ordnance-office, Tower of London.—J. Alford, James-street, Oxford-st., Middlesex, coach painter.—A. Schneider, Bishopsgate-street Without, City, engineer.

June 16 at 11, before Mr. Commissioner PHILLIPS.

William Lay, Dove-row, Goldsmith's-row, Hackney-road, Middlesex, butcher.—W. A. W. Smith, Old King-street and Edward-street, Deptford, Kent, lighterman.—Joseph Bryon, James-street, Commercial-road, Peckham, Surrey, mercantile clerk.—John Baughen, Theberton-street, Islington, Middlesex, plumber.—J. G. Brandt, Edward's-square, Kensington, Middlesex, concert singer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 13 at 11, before the CHIEF COMMISSIONER.

Geo. Powditch, Upper Queen's-buildings, Brompton, Middlesex, following no trade.—Joseph Fox, Victoria-grove, Victoria-park, near Hackney, Middlesex, foreman to a timber merchant.—Fred. E. Kelsey, Marine-street, Dockhead, Bermondsey, Surrey, dairyman.—Mary W. Ross, widow, Lambeth-road, Surrey, following no business.—Andrew Aslet, George-street, Blackfriars-road, Surrey, shopman to a linen draper.—John Williams, High-street, Marylebone, Middlesex, greengrocer.

June 13 at 10, before Mr. Commissioner LAW.

Edward Murphy, Pen-court, Fenchurch-street, London, porter.—Charles Walter, Prospect-place, Kingsland-road, Middlesex, butcher.—John Warr, York-place, Kentish-town, Middlesex, cattle dealer.—Henry Lawrence, George-st., New North-road, Islington, Middlesex, baker.—D. Cockworth, Broadway, Ludgate-hill, London, grocer.

June 13 at 11, before Mr. Commissioner PHILLIPS.

Edward Power the younger, Manchester-street, Argyle-square, Middlesex, printer.—James Meadus, Clyde-terrace, Copenhagen-st., Caledonian-rd., Islington, Middlesex, baker.—Wm. F. Mitchell, Church-street, Lower Edmonton, Middlesex, omnibus driver.—Thomas Fry, Trafalgar-street, Walworth, Surrey, out of business.—F. A. Dietrich, Bennett-street, Stamford-street, Blackfriars-road, Surrey, hat manufacturer.—Samuel Willis, East-street, Manchester-square, Middlesex, painter.

June 14 at 11, before Mr. Commissioner PHILLIPS.

Ambrose Boyce, Charlotte-street, Fitzroy-sq., Middlesex, milliner.—James Parsons, Regent-street, Westminster, Middlesex, shopman to a grocer.—M. Nathan, St. George's-st., St. George's-in-the-East, Middlesex, tailor.—Wm. Snelling, Barstow, Surrey, butcher.—Samuel Makepeace the elder, Fig's Marsh, Mitcham, Surrey, chemical agent.

June 16 at 11, before Mr. Commissioner PHILLIPS.

Benj. Howlett, Smith's-terrace, Smith's-street, King's-road, Chelsea, Middlesex, ironmonger.—Wm. Speller, Upper Berkeley-street West, Edgeware-road, Middlesex, plumber.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, June 26 at 10.

Henry Stait, Gloucester, grocer.

At the County Court of Suffolk, at IPSWICH, June 13 at 10.

Abeloom Crowe, Debenham, farmer.

At the County Court of Durham, at DURHAM, June 13.

Robert Gregory, Hedworth-vale, near South Shields, gardener.

At the County Court of Denbighshire, at RUTHIN, June 13 at 11.

Wm. Jones Morgan, Ruthin, out of business.—Edward Williams, Ruthin, out of business.—Abelom Humphreys, St. Asaph, Flintshire, shoemaker.

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The Jurist

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LONDON, JUNE 7, 1851.

THE defects of the old principles applied to the admissibility of evidence are being gradually removed. One after another each time-hallowed doctrine is strictly examined, and, if found wanting in rationality, is discarded with as little compunction as if it had not been doing mischief for centuries. It is not long since that the majority of lawyers, and of the world, believed, and the minority only disbelieved timidly and in trembling, that if a man had committed any species of crime, therefore he ought not to be believed on his oath in regard to anything; that if a man, no matter of what station or reputation, had a particle of pecuniary interest in the cause, therefore he ought not to be believed in that cause.

These rules have been exploded, and such causes of disbelief are now left to be dealt with, not as matter of admissibility, but of credibility. So, until a very recent case, (*Reg. v. Hill*, 15 Jur., part 1, p. 470), it was thought to be the law, that the evidence of a person labouring under any degree of insanity was not admissible; the old assumption being, that a person insane at all is insane altogether. But modern medical science has shewn the contrary, that a person may be affected with an insane delusion upon a particular subject, and may yet be sane to the extent of being able to deal sanely with subjects remote from the particular subject of delusion. And this medical doctrine has been adopted and acted upon in the case of *Reg. v. Hill*. In that case there was most unmistakeable evidence of partial insanity. The witness, whose evidence was objected to on the ground of insanity, believed himself to be possessed of spirits, and so stated his belief in the most absurd manner while under examination. But there being evidence that he understood the nature and obligation of an oath, that he believed in a future existence, and that in all matters except in reference to his being possessed by spirits he was perfectly

rational, his evidence as to a matter of fact, of which he stated himself to have been an eye-witness, was admitted. The soundness of this decision, as a matter of common sense, appears to us to be incontestable; for what can be more unreasonable than to conclude, that because a man labours under some particular delusion—in other words, has a special way of considering one particular subject—therefore he is so incapable of considering any other subject, in the ordinary way in which the rest of mankind consider it, that his observations on no subject can be received as rationally formed?

If no instance had ever been known of persons being irrational on one subject only, the dicta of modern medical men upon the theory of monomania might reasonably be rejected by lawyers—at least, its application to the administration of the law might be reasonably rejected. But if, as is the fact, it is in the every-day experience of mankind, that men are absurd on some one point only—sometimes to the extent of insane delusion, and sometimes more or less short of it—and yet do all acts in the conduct of life, not connected with their particular crotchet, in what is termed a rational manner—that is, in the same manner as other people do—why should the law ignore such persons in the administration of justice, while the rest of mankind deal with them as sane on all subjects but one? The soundness of the reasoning in *Reg. v. Hill* is, however, one thing; its authority, as matter of law, is another; and without taking upon ourselves to discuss that, with reference to the older authorities, we must observe, that it is materially impaired by the fact of a very important modern decision of the Privy Council (*Waring v. Waring*, 6 Moore, 341) having been wholly overlooked. That was, it is true, a case of a will, but the reasoning on which it was decided directly contradicts the reasoning of *Reg. v. Hill*, and, if sustainable, seems as applicable to the question of admissibility of evidence as to capacity to make a will. In *Waring v. Waring* the testatrix was proved to have laboured



under some insane delusions both before and after the making of her will; and it was assumed, as the result of the evidence, that she laboured under those delusions at the time of making her will. They were not delusions which were connected with the subject-matter or dispositions of her will; they did not appear upon the will, which was not in itself inofficious; and she was shewn to have been, in the ordinary concerns of life, and in the management of her affairs, perfectly rational and prudent. But it was held by the whole Privy Council that her will must be rejected, on the ground that the mind is one, and cannot be partially sound and partially unsound; that if insane delusions on any one subject be shewn to exist in a human mind, it cannot be assumed that any conclusion of that mind has been come to wholly free from the influence of the insane delusion. Lord Brougham, in delivering judgment, said, "The disease affecting them (the mental faculties) may have been more or less general; it may have extended over a greater or a less portion of the understanding; or rather, we ought to say, that it may have affected more, or it may have affected fewer, of the mental faculties: for we must always keep in view that which the inaccuracy of ordinary language inclines us to forget, that the mind is one and indivisible; that when we speak of its different powers or faculties, as memory, imagination, consciousness, we speak metaphorically, likening the mind to the body, as if it had members or compartments; whereas, in all accuracy of speech, we mean to speak of the mind acting variously—that is, remembering, fancying, reflecting—the same mind in all these operations being the agent. We therefore cannot, in any correctness of language, speak of general or partial insanity; but we may most accurately speak of the mind exerting itself in consciousness without cloud or imperfection, but being morbid when it fancies, and so its owner may have a diseased imagination; or the imagination may not be diseased, and yet the memory may be impaired, and its owner be said to have lost his memory. In these cases we do not mean that the mind has one faculty, as consciousness, sound; while another, as memory or imagination, is diseased; but that the mind is sound when reflecting on its own operations, and diseased when exercising the combination termed 'imagining,' or casting the retrospect, called 'recollecting.'"

And again, in another part of the judgment:—

"Nothing is more certain than the existence of mental disease of this description—nay, by far the greater number of morbid cases belong to this class. They have acquired a name—the disease called familiarly, as well as by physicians, 'monomania,' on the supposition of its being confined, which it rarely is, to a single faculty or exercise of the mind. A person shall be of sound mind, to all appearance, upon all subjects save one or two, and on these he shall be subject to illusions, mistaking for realities the suggestions of his imagination. The disease here is said to be in the imagination—that is, the patient's mind is morbid or unsound when it imagines; healthy and sound when it remembers. Nay, he may be of unsound mind when his imagination is employed on some subjects, in making some combinations, and sound when making others, or making one single kind of combination.

Thus he may not believe all his fancies to be realities, but only some or one: of such a person we usually predicate that he is of unsound mind only upon certain points. I have qualified the proposition thus on purpose, because if the being, *on essence*, which we term the mind, is unsound on one subject, provided that unsoundness is at all times existing upon that subject, it is quite erroneous to suppose such a mind really sound on other subjects. It is only sound in appearance; for if the subject of the delusion be presented to it, the unsoundness which is manifested, by believing in the suggestions of fancy as if they were realities, would break out; consequently it is as absurd to speak of this as a really sound mind—a mind sound when the subject of the delusion is not presented—as it would be to say that a person had not the gout, because, his attention being diverted from the pain by some more powerful sensation by which the person was affected, he, for the moment, was unconscious of his visitation.

"It follows from hence, that no confidence can be placed in the acts or in any act of a diseased mind, however apparently rational that act may appear to be, or in reality be. The act in question may be exactly such as a person without mental infirmity might well do. But there is this difference between the two cases—the person uniformly and always of sound mind could not, at the moment of the act done, be the prey of morbid delusion, whatever subject was presented to his mind; whereas the person called partially insane—that is to say, sometimes appearing to be of sound, sometimes of unsound mind—would inevitably shew his subjection to the disease the instant its topic was suggested. Therefore we can with perfect confidence rely on the act done by the former, because we are sure that no lurking insanity—no particular, or partial, or occasional delusion—does mingle itself with the person's act, and materially affect it. But we never can rely on the act, however rational in appearance, done by the latter, because we have no security that the lurking delusion—the real unsoundness—does not mingle itself with or occasion the act. We are wrong in speaking of partial unsoundness; we are less incorrect in speaking of occasional unsoundness. We should say that the unsoundness always exists, but it requires a reference to the peculiar topic, else it lurks, and appears not. But the malady is there; and as the mind is one and the same, it is really diseased while apparently sound; and really its acts, whatever appearance they may put on, are only the acts of a morbid or unsound mind."

COURT OF EXCHEQUER.

TRINITY TERM.—14 VICTORIA.—June 3, 1851.

This Court will hold sittings on Saturday the 21st day of June instant, and on every succeeding day (Sundays excepted) until and including Tuesday the 1st day of July next, and also on Thursday the 10th day of July next, and will, at such sittings, proceed in disposing of the business then pending in the Paper of New Trials, in the Paper of Demurrers, and in the Paper of Special Cases; also in disposing of such motions and applications (if any) as shall then have been made and shall be then pending, as the Court shall give leave to be brought on at the said sittings; and likewise in giving judgment in all cases then standing for judgment.

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OBSERVATIONS ON THE WINDING-UP ACTS.



THE Winding-up Acts have received another blow at the hands of Lord Cranworth, V. C., and a blow so severe, that, if his Lordship's decision is sustained, we apprehend they will very soon be abandoned, and companies will be left to be wound up in the old way—that is, not at all. The Vice-Chancellor has held, in a case before him on the 5th instant, that the Master has not power under the Winding-up Acts to make any call for costs until the personal liability of the contributories, either individually or in classes, has been ascertained; in other words, that no call for costs can be made until the whole business of winding up is completed: for it is tolerably plain, that until that is done, it will be impossible to ascertain how each contributory ought to contribute to the payment of costs. Of course the liability of a contributory to pay costs must depend, among other things, on his legal liability to pay the debts of the company; because, supposing a man to be a contributory in respect of a debt of 100*l.*, for which he is legally liable, and supposing that in respect of another debt of 1000*l.* he is not liable, the Court would not, we apprehend, make him ultimately liable, as between him and the other contributories, to pay the costs incurred by the company in respect of the debt of 1000*l.*, with which he had nothing to do. Until, therefore, the legal liability of the contributories, individually or in classes, to pay every debt of the company, is ascertained—in effect, till the whole business of the winding up is completed—it will be practically impossible to ascertain the liability of the contributories to pay costs incurred by the official manager. Of course, if this is the law, none but men of very considerable capital, able and willing to let that capital lie idle for an indefinite period, with a very uncertain remuneration, will be willing to undertake the duties of official managers, or of solicitors to official managers; and as that sacrifice cannot be expected from any sane person, and as without an official manager the acts cannot be worked, they will, in effect, be strangled. Whether this will be a benefit to the public or not we are not now to inquire, but, beyond all question, the Legislature cannot have intended such a result; and therefore either Lord Cranworth must be wrong, or the Winding-up Acts are even more foolishly and loosely drawn than is usual with acts of Parliament.

The question is too important for it to be expected that one decision will be acquiesced in, and it is, therefore, most probable that the Vice-Chancellor's decision will, either in this case or some other, be appealed from. In the meantime a few observations on the question of its soundness will not be misplaced. The first Winding-up Act of 1848, by the 83rd section, gives to the Master the power of making calls from time to time on the contributories generally, or on individual contributories or classes of contributories, for the payment of debts, &c., or the costs of winding up, but with this express qualification, “so far only as such contributories respectively shall be liable at law or in equity to pay the same.”

The Winding-up Amendment Act of 1849, by the 12th clause, gives to the Master a general power to regulate the costs of all proceedings in and about winding up. By the 28th, it repeals the 83rd section of the act of 1848, and substitutes for it this:—“When the Master shall think proper to raise any money by means of a call, he shall make such call from time to time upon the contributories of the company, or any of them, appearing for the time being on the list of contributories, although it may then be under consideration or uncertain whether other persons ought or ought not to be included in the list; and, in making any such

call, it shall be lawful for the Master to fix such an amount per share for the same as shall, in his judgment, be likely to supply and bring in the whole sum for the time being intended to be raised, after taking into consideration the probability that some of the contributories upon whom the said call shall be made, should partly or wholly fail to pay their respective proportions of the same.”

From this clause it will be observed, that the restriction of the 83rd section of the former act is omitted. As it cannot be supposed that the Legislature omitted it without any intention at all, so it must, we should think, be inferred, that the Legislature intended, by excluding the restriction, that there should be no such restriction. Also, the power given to the Master is to make a call, not upon the persons being contributories, but upon the persons appearing on the list of contributories, and that expressly, although it may be uncertain whether they are *all* the contributories. The argument, therefore, of injustice against the power of the Master to make a call against contributories before it is ascertained that they will be ultimately liable for the payment, in the proportions in which it is by the call levied upon them, falls to the ground, because the act, in terms, authorises the injustice (if injustice it be) of levying upon apparent contributories, before it is ascertained whether others are not liable to contribute with them, and so to diminish the amount of each individual's payment.

Further, is there any injustice in this power given by the Legislature? Before these acts, any creditor of a company might proceed against the company, and, if he recovered, take his whole debt from any shareholder; or a creditor establishing his claim personally against any one, a member of a company, might take his whole debt against that person, whatever might be the equities between him and his co-partners. This was really and truly a hardship, amounting to injustice as against every substantial shareholder, since practical contribution between the person selected as the victim and his co-partners was, as is well known, unattainable. To remedy this, the acts have limited the powers of creditors of a company, or of its members as such, and have, for the purpose of enabling the Master to enforce contribution, placed in his hands (as we should read the statute, were it not for the Vice-Chancellor's decision) certain powers, which extend thus far, viz. to compel a shareholder to pay, not the *whole* of a debt of the company—not the *whole* of any costs incurred in winding up—but a proportion of such debt or costs, which, on the final settlement of the equities between the contributories, it may turn out was too large—that is, the Legislature frees the shareholder from his liability to pay alone for the whole company, with scarcely a chance of recouping himself, and substitutes the smaller and temporary hardship of requiring him to pay the portion that he is apparently liable for, with the guarantee that he will, on the final settlement, be recouped by his co-partners, if he has paid too much.

Whether, however, it be an injustice or not for the Master to order payment of costs by contributories, before it is ascertained whether they will be respectively ultimately liable to the precise portion of costs that they are called upon to pay, we submit that the words of the 28th section of the act of 1849, taken with or without reference to the clause of the act of 1848 which it repeals, are too wide to be construed otherwise than as giving to the Master the jurisdiction contended for. If that clause were not sufficient, the 128th section of the act of 1848, which gives to the Court proceeding under the act, all the powers, *ultra* the powers of the act, which it would have in a suit, would be alone sufficient to authorise a call for costs from time to time—at any rate, to the extent of the capital contracted to

be subscribed. Beyond all question, in an ordinary suit for winding up a partnership, the Court has jurisdiction to order the receiver (who corresponds to the official manager of a company) to take his costs from time to time out of the assets of the partnership, without reference to the question, whether one or more members of the partnership might ultimately be exonerated, as between them and the other members, against some part or the whole of such costs; and if it be said there is a distinction between that and ordering calls, the answer is, that calls to the extent of the money contracted to be paid by the shareholders are, in truth, the capital, the assets of the company; so that there is no substantial distinction between the two cases.

London Gazette.

TUESDAY, JUNE 3.

BANKRUPTS.

SAMUEL GEORGE QUARTERMAINE, Eaton-mews, West Pimlico, Middlesex, horse dealer, dealer and chapman, June 11 at 1, and July 15 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lee & Pemberton, 43, Lincoln's-inn-fields.—Petition filed May 22.

EDWARD PEPPER, Threadneedle-street, London, licensed victualler, dealer and chapman, June 11 at half-past 1, and July 15 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Pollock, 19, Essex-street, Strand.—Petition filed May 3.

JACOB HARVEY, Gravesend, Kent, timber merchant, June 16 and July 8 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & W. Meymott, 86, Blackfriars-road.—Petition filed May 30.

RICHARD CLARKE PAULING, Great Percy-st., Pentonville, Middlesex, railway contractor and builder, dealer and chapman, June 14 at 11, and July 12 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons; Messrs. Linklaters, 1, Charlotte-row, Mansion-house.—Petition dated May 29.

GEORGE JONES WEBB, Llanelly, Carmarthenshire, coal merchant and shipowner, trader, dealer and chapman, June 14 and July 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Abbot & Lucas, Bristol; J. & J. H. Linklater, Charlotte-row, Mansion-house, London.—Petition filed May 19.

WILLIAM HAMLEY, Clifton, Bristol, builder, trader, dealer and chapman, June 14 and July 15 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Abbot & Lucas, Bristol.—Petition filed May 30.

HENRY COATES, Birmingham, draper, June 23 and July 21 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition filed May 31.

BENJAMIN THOMPSON, Derby, woollendrapery, dealer and chapman, June 27 and July 11 and 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Pickering & Gamble, Derby.—Petition dated May 26.

THOMAS SLATER, Cheetham, and **JOSHUA PATON**, Broughton, Lancashire, cotton spinners, (lately carrying on business in partnership in Salford as cotton spinners, under the style or firm of Slater & Paton), June 17 and July 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Hardman, Manchester.—Petition filed May 24.

DAVID JOHNSTONE, Manchester, innkeeper, dealer and chapman, June 17 and July 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. J. & B. Whitworth, Manchester.—Petition filed May 28.

EDMUND NICHOLSON, York, tailor and draper, June 27 and July 17 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Mann, York; Harle & Clarke, Leeds.—Petition dated and filed May 31.

MEETINGS.

John Garrett the elder and *John Garrett* the younger, Hereford, bankers, June 14 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*John H. Parker*, Percival-st., Goswell-st., Middlesex, carrier, June 14 at 1, Court of Bank-

ruptcy, London, aud. ac.—*Christopher Dennit* the younger, Taibot Inn-yard, Southwark, Surrey, hop merchant, June 24 at 11, Court of Bankruptcy, London, div.—*Wm. Tydeman*, Chelmsford, Essex, timber merchant, June 24 at 1, Court of Bankruptcy, London, div.—*John P. Howard*, Attlebridge, Norfolk, maltster, June 24 at 12, Court of Bankruptcy, London, div.—*John George Parnell Heyliger*, Tottenham-court-road, Middlesex, silversmith, June 24 at 2, Court of Bankruptcy, London, div.—*J. H. Reynolds*, Great Marlborough-street, Oxford-st., Middlesex, money scrivener, June 24 at 2, Court of Bankruptcy, London, fin. div.—*Thomas Brettell*, Rupert-street, Haymarket, Middlesex, printer, June 24 at 1, Court of Bankruptcy, London, div.—*Richard William Glode Douglass*, Woodcote, stage-coach proprietor, June 23 at 2, Court of Bankruptcy, London, fin. div.—*Henry Smith*, Hare-street, Woolwich, Kent, linendrapery, June 23 at 2, Court of Bankruptcy, London, div.—*Antonino Guiseppe Gaudiano* and *Barico C. St. Clair*, Great St. Helen's, London, merchants, June 23 at 11, Court of Bankruptcy, London, div. sep. est. of *Barico C. St. Clair*.—*Thomas Britten*, Suffolk-lane, Cannon-st., London, wine merchant, June 26 at 2, Court of Bankruptcy, London, div.—*Thomas Strickland* and *Thomas N. Brickwood*, Liverpool, merchants, June 26 at 11, District Court of Bankruptcy, Liverpool, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Henry Bright, Maldon, Essex, corn merchant, June 26 at 11, Court of Bankruptcy, London.—*George Haines*, Northampton, grocer, June 25 at 2, Court of Bankruptcy, London.—*Wm. Matthews Hill*, Charlton-place, Islington, Middlesex, builder, June 25 at 1, Court of Bankruptcy, London.—*George H. Wilson*, Kingston-upon-Hull, merchant, July 9 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Manuel Jones*, Wrexham, Denbighshire, cheese factor, June 24 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Robert Avann, Canterbury, Kent, fellmonger.—*George R. Galloway*, St. John-st., Middlesex, brush manufacturer.—*R. Wade*, Plymouth, Devonshire, grocer.

PETITION SUPERSERVED.

John White, Birmingham, hay and straw dealer.

SCOTCH SEQUESTRATION.

Patrick Park, Edinburgh, sculptor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Barons, Ashburton, Devonshire, post master, July 12 at 11, County Court of Devonshire, at Newton Abbot.—*John Thomas Jackson*, Bristol, beer retailer, July 23 at 11, County Court of Gloucestershire, at Bristol.—*Thos. Harrill*, Bristol, lodging-house keeper, July 2 at 11, County Court of Gloucestershire, at Bristol.—*James Phillips*, Bristol, in no business, July 2 at 11, County Court of Gloucestershire, at Bristol.—*Japheth Ralph*, Oldland, Bittton, Gloucestershire, miller, July 23 at 11, County Court of Gloucestershire, at Bristol.—*Hugh Simons*, Thorpe-le-Soken, Essex, farmer, June 20 at 12, County Court of Essex, at Harwich.—*James Darley*, Kingston-upon-Hull, boat builder, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Henry Searle*, Kingston-upon-Hull, wood turner, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George Crouch*, Kingston-upon-Hull, professor of music, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George England*, Kingston-upon-Hull, out of employment, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thomas Butler*, Kingston-upon-Hull, wire worker, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Hassall Nutt*, Kingston-upon-Hull, out of business, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Lewis Emanuel*, Kingston-upon-Hull, dealer in ready made clothes, June 14 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Thomas Swan*, Cowpen, Northumberland, publican, June 27 at half-past 10, County Court of Northumberland, at North Shields.—*James Weallens*, Hartley, Northumberland, pitman, June 27 at half-past 10, County Court of Northumberland, at North Shields.—*Robert Hall*, North Shields, Northumberland, publican, June 27 at half-past 10, County Court of Northumberland, at North

Shields.—*John Edger*, Long Benton, Northumberland, shoemaker, June 27 at half-past 10, County Court of Northumberland, at North Shields.—*John Sanders*, Cullompton, Devonshire, innkeeper, June 19 at 10, County Court of Devonshire, at Tiverton.—*Geo. Wm. Appleby*, Tolleshurst D'Arcy, Essex, labourer, June 24 at 11, County Court of Essex, at Maldon.—*Charles Field*, Haselton, Warwickshire, baker, June 19 at half-past 2, County Court of Warwickshire, at Alcester.—*Matthew Manton*, Colwall, Herefordshire, shoemaker, June 28 at 10, County Court of Herefordshire, at Ledbury.—*Chas. Martin*, Bocking, Essex, engineer, June 26 at 11, County Court of Essex, at Braintree.—*Eliza Paull*, widow, Redruth, Cornwall, out of business, June 12 at 11, County Court of Cornwall, at Redruth.—*Joseph Holt*, Lindridge, Worcestershire, shoemaker, June 26 at 2, County Court of Worcestershire, at Tenbury.—*Thomas Lewis Howell*, Llanelly, Carmarthenshire, surgeon, June 19 at 11, County Court of Carmarthenshire, at Llanelly.—*John Morris*, Bury, Lancashire, blacksmith, June 18 at 11, County Court of Lancashire, at Bury.—*Wm. Gyde*, Painswick, Gloucestershire, out of business, June 25 at 10, County Court of Gloucestershire, at Stroud.—*Henry Thompson*, Kendal, grocer, June 18 at 10, County Court of Westmoreland, at Kendal.—*George Fisk*, Weston, Suffolk, gamekeeper, June 17 at 1, County Court of Suffolk, at Beccles.—*Owen Whayman*, Stowmarket, Suffolk, veterinary surgeon, June 16 at 10, County Court of Suffolk, at Stowmarket.—*William Rackham*, Snape, Suffolk, butcher, June 19 at 9, County Court of Suffolk, at Framlingham.—*Walter Davies*, Aberdare, Glamorganshire, miner, June 10 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*Thomas Evans*, Llanthely, Brecknockshire, publican, June 6 at 10, County Court of Brecknockshire, at Brecknock.—*Rees Jenkins*, Bridgend, Glamorganshire, attorney-at-law, June 13 at 10, County Court of Glamorganshire, at Bridgend.—*John Morgan*, Merthyr Tydfil, Glamorganshire, miner, June 10 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*Wm. Williams*, Aberammon, near Aberdare, Glamorganshire, grocer, June 10 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*John Lewis*, Merthyr Tydfil, Glamorganshire, cordwainer, June 10 at 10, County Court of Glamorganshire, at Merthyr Tydfil.—*David Price*, Talgarth, Brecknockshire, saddler, June 6 at 10, County Court of Brecknockshire, at Hay.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 17 at 11, before the CHIEF COMMISSIONER.

R. Tidmarsh, Jamaica-row, Bermondsey, Surrey, accountant.—*C. Coghlan*, Alexander-square, Brompton, Middlesex, of no trade.—*Robert Maynard*, Stanley-street, Eccleston-square, Middlesex, auctioneer.—*William Hanson*, Cranmer-road North, Brixton, Surrey, clerk to a plumber.

June 17 at 10, before Mr. Commissioner LAW.

John Roche, Star-corner, Bermondsey, Surrey, grocer.—*David George Millne*, Somerset-place, Forest-row, Dalston, Middlesex, out of business.—*William Cates*, Ammel-street, Bromley, Middlesex, out of business.—*Benjamin Lyons*, Drury-lane, Middlesex, out of business.—*Edward Thomas Bentley*, King-street, Lower-road, Islington, Middlesex, smith.—*John Hickson*, Prospect-row, Dockhead, Bermondsey, Surrey, tailor.—*William Bigg*, High-street, Poplar, Middlesex, butcher.

June 18 at 11, before the CHIEF COMMISSIONER.

Edward Bathurst, Cambridge-street, Hyde-park, Middlesex, of her Majesty's consular service.—*Samuel Foster*, Exmouth-street, Clerkenwell, Middlesex, dealer in china.

June 19 at 10, before Mr. Commissioner LAW.

John Coppins, Wenlock-road, City-road, Middlesex, smith.—*John Webb* the elder, Paynton-terrace, East India-road, Limehouse, Middlesex, out of business.—*James Owen Sharland*, Sale-street, Paddington, Middlesex, paperhanger.

Saturday, May 31.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Lydia Witherford, Wolverhampton, Staffordshire, in no business, No. 73,431 C.; *John Banes*, assignee.—*Robert*

Teasdale, Redwell-hills, near Lead-gate, Durham, publican, No. 73,538 C.; *William M'Pherson* and *John Codling*, assignees.—*Wm. Carter*, Swavesey, Cambridgeshire, maltster, No. 73,553 C.; *John Nutter* and *John Williamson*, assignees.—*Matthew Bramwell*, Ashton-under-Lyne, Lancashire, out of business, No. 73,634 C.; *William Shepley*, assignee.—*George Macchell*, Dunn's-cottages, Lower-road, Rotherhithe, Surrey, carpenter, No. 62,213 T.; *Alexander Lodwick Irvine*, assignee.—*Thomas Rawson*, Scrivelsby, near Horncastle, Lincolnshire, farmer, No. 73,432 C.; *Henry Boulton*, assignee.—*Francis Moore*, Wolverhampton, Staffordshire, farmer, No. 73,574 C.; *Leigh Coleman*, assignee.

Saturday, May 31.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).—

George Henry Clayton, Fan-street, Aldersgate-street, London, baker: in the Debtors Prison for London and Middlesex.—*Christopher John Wilson*, Park-place, Kennington-cross, Lambeth, Surrey, clerk in the Sun Fire-office: in the Debtors Prison for London and Middlesex.—*John Chew*, Little Brick-hill, Bucks, shoemaker: in the Debtors Prison for London and Middlesex.—*Henry William Jennings*, Spa-terrace, Spa-road, Bermondsey, Surrey, dealer in old building materials: in the Gaol of Horsemonger-lane.—*James John Plieger*, Scarborough-street, Tenter-ground, Minorities, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Hanora Flanagan*, Shepperton-street, New North-road, Islington, Middlesex, alater: in the Debtors Prison for London and Middlesex.—*Thomas Mylam Morton*, Charles-street, Goswell-road, Middlesex, eating-house keeper: in the Debtors Prison for London and Middlesex.—*John Hanis*, Coburg-place, Horseferry-road, Westminster, Middlesex, late clerk in the Privy Council office: in the Debtors Prison for London and Middlesex.—*George West*, Williams-mews, Lowndes-square, Chelsea, Middlesex, gentleman's coachman: in the Debtors Prison for London and Middlesex.—*Thos. Andrews Speed*, Stonehouse, Plymouth, Devonshire, wine merchant: in the Queen's Prison.—*Jean Reymond*, Oakley-street, Westminster-road, Lambeth, Surrey, general merchant: in the Debtors Prison for London and Middlesex.—*Deborah Bailey*, widow, Wellington, Shropshire, out of business: in the Gaol of Shrewsbury.—*John Harding*, Bristol, commission agent: in the Gaol of Bristol.—*Edward Linley*, Sheffield, Yorkshire, sheep shear manufacturer: in the Gaol of York.—*David Richards*, Cae-draw, Merthyr Tydfil, Glamorganshire, grocer: in the Gaol of Cardiff.—*Joseph Purnell*, Bristol, assistant to a licensed victualler: in the Gaol of Bristol.—*Jacob Wood*, Scarcroft, near Wetherby, Yorkshire, omnibus driver: in the Gaol of York.—*Charles Woods* the younger, Cambridge, college servant: in the Gaol of Cambridge.—*James Clayton*, Farnley Moor-top, near Leeds, Yorkshire, wheelwright: in the Gaol of York.—*George Dimock*, Broadway, Worcestershire, saddler: in the Gaol of Worcester.—*John Firby*, Otterington, near Thirsk, Yorkshire, corn miller: in the Gaol of York.—*Robert Garion*, Carnarvon, out of business: in the Gaol of Carnarvon.—*T. N. Hornsby*, North Shields, Northumberland, builder: in the Gaol of Morpeth.—*W. Uppeth*, Hadleigh, Suffolk, gardener: in the Gaol of Ipswich.—*T. Griffiths*, Wellington, Shropshire, tailor: in the Gaol of Shrewsbury.—*William Henshaw*, Longborough, Leicestershire, cooper: in the Gaol of Coventry, Warwickshire.—*William W. Milnes*, Lockwood, near Huddersfield, Yorkshire, grocer: in the Gaol of York.—*Frank Marden*, Horbury, near Wakefield, Yorkshire, cloth manufacturer: in the Gaol of York.—*Wm. H. Podmore*, Balsall-heath, Worcestershire, out of business: in the Gaol of Coventry.—*Jas. Taylor*, Ward-place, near Holmfirth, near Huddersfield, Yorkshire, clothier: in the Gaol of York.—*Joseph Tolson*, Wheathouse, Birkby, near Huddersfield, Yorkshire, woollen cloth merchant: in the Gaol of York.—*John Wilson*, Horbury, near Wakefield, Yorkshire, cloth manufacturer: in the Gaol of York.—*Chas. Walsh*, Wakefield, Yorkshire, shoemaker: in the Gaol of York.—*Henry Blackburn*, Bradford, Yorkshire, hair cutter: in the Gaol of York.—*K. Crawford*, Great Yarmouth, Norfolk, linendraper: in the Gaol of Norwich.—*B. Dalby*, Wetherby, Yorkshire, chemist: in the Gaol of York.—*Nathan Glass*, Liverpool, assistant to a horse dealer: in the Gaol of Lancaster.—*John James*, Hanley Castle, Worcestershire, dealer in coal: in the Gaol of Worcester.—*John Sykes*, Huddersfield, Yorkshire,

assistant and manager to a woollen yarn manufacturer : in the Gaol of York.—*Richard Tattam* the younger, Norwich, Norfolk, omnibus conductor : in the Gaol of Norwich.—*John Booth*, Rawdon, near Leeds, Yorkshire, woollen manufacturer : in the Gaol of York.—*Wm. Butterell*, Eccleshall, near Sheffield, Yorkshire, coal owner : in the Gaol of York.—*John Craven*, Bradford, Yorkshire, butcher : in the Gaol of York.—*Thomas Clough*, Adwalton, near Leeds, Yorkshire, coal miner : in the Gaol of York.—*Joseph Fisher*, Leeds, Yorkshire, grocer : in the Gaol of York.—*Simon Godfrey*, Chesterton, Cambridgeshire, assistant to a boat builder : in the Gaol of Cambridge.—*John Journeaux*, Jersey, commission agent : in the Gaol of St. Thomas the Apostle.—*Peter King*, Roccliffe, near Boroughbridge, Yorkshire, farmer : in the Gaol of York.—*James Withington*, Manchester, retail dealer in ale : in the Gaol of Lancaster.—*William Cumley*, Barnes-green, Blackley, near Manchester, licensed victualler : in the Gaol of Lancaster.—*Charles Clift*, Dunt-lane Farm, Hurst, near Reading, Berkshire, farmer : in the Gaol of Reading.—*Matthew Fisher*, Market Rasen, Lincolnshire, carpenter : in the Gaol of Lincoln.—*John Hurst*, Liverpool, baker : in the Gaol of Lancaster.—*John Kent*, Ventnor, Isle of Wight, Hampshire, gardener : in the Gaol of Winchester.—*Richard Platt*, Portsea, Hampshire, baker : in the Gaol of Winchester.—*James Shepherdson*, Liverpool, provision dealer : in the Gaol of Lancaster.—*George Thomas*, Cwmavon, Glamorganshire, grocer : in the Gaol of Cardiff.—*Wm. Wetherill*, Wavertree, near Liverpool, county police officer : in the Gaol of Lancaster.—*John Wright*, Great Oxendon, Northamptonshire, out of business : in the Gaol of Leicester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 17 at 11, before the CHIEF COMMISSIONER.

James Denton, Erith, Kent, commission agent for the sale of bottles.—*John Holford*, Woolwich, Kent, carpenter.—*C. S. Heath*, Northampton-street, St. John-street-road, Middlesex, assistant to a map seller.

June 17 at 10, before Mr. Commissioner LAW.

Henry Boyd, Abor-square, Stepney, Middlesex, promoter of the Atlantic and Pacific Ship Canal Company.—*Geo. H. Clayton*, Fan-street, Aldersgate-street, London, baker.

June 19 at 11, before Mr. Commissioner PHILLIPS.

Wm. Southin, Cleveland-street, St. Marylebone, Middlesex, baker.—*James Frankling*, Farringdon-street, London, in no business.—*James G. Buckman*, Collingwood-street, Blackfriars-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Buckinghamshire, at AYLESBURY, June 25 at 12.

Wm. Duncombe, Duntton, farmer.—*H. Harris*, Turweston, farming bailiff.

At the County Court of Gloucestershire, at BRISTOL, June 18 at 11.

John Scott, Bristol, grocer.

At the County Court of Shropshire, at SHREWSBURY, June 17 at 10.

William Henry Hawkins, Oswestry, coal agent.—*Deborah Bailey*, Wellington, out of business.—*Thomas Griffiths*, Wellington, tailor.

At the County Court of Derbyshire, at DERBY, June 21 at 11.

John Forriester Johnson, Derby, out of business.

At the County Court of Somersetshire, at TAUNTON, June 20.

Thomas Davis, Walcot, Bath, licensed victualler.

At the County Court of Worcestershire, at WORCESTER, June 18 at 10.

George Dimock, Broadway, saddler.

At the County Court of Carmarthenshire, at CARMARTHEN, June 17 at 2.

Thomas Williams, Carmarthen, writer.

At the County Court of Hampshire, at WINCHESTER, June 19 at 10.

John Kent, Ventnor, gardener.

INSOLVENT DEBTOR'S DIVIDEND.

William Edmunds, Skentroth, Monmouthshire, farmer, at Galindo's, Monmouth : 2s. 2½d. in the pound.

FRIDAY, JUNE 6.

BANKRUPTS.

ANDREW BURN, Sackville-st., Piccadilly, and Caroline-place, Pancras-vale, Middlesex, tailor, dealer and chapman, June 12 and July 18 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Miller & Horn, 78, King William-st., London-bridge.—Petition filed May 6.

EDWARD LEECH, Chichester, Sussex, apothecary, dealer and chapman, June 25 at half-past 11, and July 18 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wilkinson & Co., 2, Nicholas-lane, London.—Petition filed June 4.

JOHN HINKS, Warwick, grocer, dealer and chapman, June 17 and July 8 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. J. H. & J. Linklater, 1, Charlotte-row, Mansion-house, London; Hodgson, Cherry-street.—Petition dated May 23.

HORATIO BLACK, Nottingham, lace manufacturer, dealer and chapman, June 27 and July 11 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Freeth & Co., Nottingham; Hodgson, Birmingham.—Petition dated May 24.

JOHN JACKSON, Scarborough, Yorkshire, silversmith, jeweller, dealer and chapman, June 24 and July 15 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Reece, Birmingham; Bond & Barwick, Leeds.—Petition dated May 26.

JOHN GREENHALGH, Radcliffe-bridge, Lancashire, draper and tea dealer, June 23 and July 14 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed May 30.

MEETINGS.

Hugh Buchanan M'Millan and Robert Service Wilson, Preston and Accrington, Lancashire, drapers, June 18 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Nathaniel Menes*, Henwich, St. Clement's, Worcestershire, porter brewer, June 17 at 12, District Court of Bankruptcy, Birmingham, ch. ass.—*Thomas Clubbe*, Chester, ale and porter brewer, June 19 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*Abraham Solomons*, Basinghall-st., London, merchant, June 17 at half-past 11, Court of Bankruptcy, London, last ex.—*Richard Whalley*, Accrington, Lancashire, mercer, June 19 at 11, District Court of Bankruptcy, Manchester, last ex.—*Abraham Chadwick*, Burnedge, Rochdale, and Fair View, near Littleborough, Lancashire, cotton manufacturer, June 19 at 12, District Court of Bankruptcy, Manchester, last ex.—*William Taylor*, Creek-road, Deptford, Kent, shipwright, June 30 at 2, Court of Bankruptcy, London, last ex.—*John Frederick Cole*, Hampton Court, Middlesex, victualler, June 26 at 1, Court of Bankruptcy, London, and ac.—*Saml. Manning*, Union-place, New-road, Middlesex, statutory, June 17 at 12, Court of Bankruptcy, London, and ac.—*Stephen Davies*, Pimlico, Middlesex, coal merchant, June 26 at 11, Court of Bankruptcy, London, and ac.; June 27 at half-past 1, fin. div.—*A. Willsher*, South Island-place, Clapham-road, Surrey, livery-stable keeper, June 19 at 11, Court of Bankruptcy, London, and ac.—*S. Adams*, W. B. Adams, and G. Ralston, Fairfield Works, Bow, Middlesex, engineers, June 19 at 1, Court of Bankruptcy, London, and ac. sep. est. of G. Ralston; June 27 at half-past 11, div.—*F. E. D. East*, Aldermanbury, London, merchant, June 19 at half-past 12, Court of Bankruptcy, London, and ac.; June 27 at half-past 12, div.—*Abraham Friedeberg*, Houndsditch, London, furrier, June 19 at half-past 12, Court of Bankruptcy, London, and ac.—*Thomas Hatfield and Robert Hatfield*, Clapham, Surrey, plumbers, June 19 at 1, Court of Bankruptcy, London, and ac.—*Wm. H. Tait* and *Bass Jackson*, Great Russell-street, Tottenham-court-road, Middlesex, linendrapers, June 17 at 12, Court of Bankruptcy, London, and ac.—*Wm. Maude*, Bolton-le-Moors, Lancashire, licensed victualler, June 17 at 12, District Court of Bankruptcy, Manchester, and ac.—*John Lloyd and G. Lloyd*, Brinnington, Cheshire, builders, June 21 at 12, District Court of Bankruptcy, Manchester, and ac. and div.—*M. Kinck and Robert Kinck*, Manchester, warehousemen, June 20 at 11, District Court of Bankruptcy, Manchester, and ac.—*Thomas Carey Willard Pierce and Gilon Homan*, Manchester, merchants, June 20 at 11, District Court of Bankruptcy, Manchester, and ac. sep. est. of Gilon Homan.—*Charlotte Eleonora Skoti*, Woodend, Cheshire, calico printer, June 19 at 12, District Court of Bankruptcy, Man-

chester, and. ac.—*William Edmond and Thomas Edmond*, Liverpool, merchants, June 19 at 11, District Court of Bankruptcy, Manchester, and. ac.—*Isaac Lindo Mocatta*, Liverpool, commission merchant, June 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Nathan Liskerland*, Liverpool, merchant, June 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Houston*, Whithy, Yorkshire, keeper of a hotel, June 19 at 11, District Court of Bankruptcy, Leeds, and. ac.—*John Taylor*, Golcar, Huddersfield, Yorkshire, commission agent, June 19 at 11, District Court of Bankruptcy, Leeds, and. ac.—*John Firth*, Leeds, Yorkshire, linendraper, June 19 at 11, District Court of Bankruptcy, Leeds, and. ac.—*Samuel Fox Stephens*, Old Broad-street, London, billbroker, June 27 at 11, Court of Bankruptcy, London, div.—*David Le Boustillier*, Northumberland-place, Commercial-road East, Middlesex, draper, June 27 at 11, Court of Bankruptcy, London, div.—*Samuel Henry Whittell*, Vine-street, Regent-street, Piccadilly, Middlesex, tailor, June 28 at 11, Court of Bankruptcy, London, fin. div.—*Timothy Abraham Curtis*, Tokenhouse-yard, London, merchant, June 28 at 11, Court of Bankruptcy, London, div.—*Samuel Hogg and Henry James Hogg*, Landport, Portsea, Hampshire, auctioneers, June 28 at half-past 11, Court of Bankruptcy, London, div. sep. est. of *Henry James Hogg*.—*James Perry*, Harlow, Essex, grocer, July 1 at 11, Court of Bankruptcy, London, div.—*Burrows Willcocks Arthur Sleigh*, Bedford-street, Strand, Middlesex, printer, July 1 at half-past 12, Court of Bankruptcy, London, fin. div.—*Caleb Rees*, Merthyr Tydvil, Glamorganshire, ironmonger, June 27 at 12, District Court of Bankruptcy, Bristol, div.—*James Peter Oldfield*, Liverpool, commission merchant, June 27 at 11, District Court of Bankruptcy, Liverpool, div.—*George Blake and James Blake*, Liverpool, and Dublin, soap manufacturers, June 27 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *George Blake*.—*John Suker and Henry Suker*, Birkenhead, Cheshire, carpet dealers, June 27 at 11, District Court of Bankruptcy, Liverpool, div.—*Samuel Marshall*, Kingston-upon-Hull, builder, July 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*William Wyrill*, Bradford, Yorkshire, ironmonger, July 1 at 11, District Court of Bankruptcy, Leeds, fin. div.—*James Horsfield*, Wheelock, near Sandbach, Cheshire, coal dealer, June 27 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Thomas Britten, Suffolk-lane, Cannon-street, London, wine merchant, June 30 at 11, Court of Bankruptcy, London.—*Frederick Spencer Adolphus France*, Lambeth-walk, Lambeth, Surrey, clothier, June 30 at 2, Court of Bankruptcy, London.—*John Johnson*, Newcastle-upon-Tyne, banker, June 27 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Aaron Croxford*, Ty Mawr, Lanworne, Glamorganshire, coal miner, July 2 at 11, District Court of Bankruptcy, Bristol.—*Margaret Meikle*, Liverpool, pawnbroker, June 30 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

John Buttrey, Woolwich, Kent, victualler.—*Wm. Bilby*, Essex-place, Grange-road, Dalston, Middlesex, warehouseman.—*John Penfold*, Marlborough-place, Old Kent-road, Surrey, grocer.—*Henry Smith*, Westbromwich, Staffordshire, iron-founder.

SCOTCH SEQUESTRATIONS.

Alexander Ross, Coupar-Angus, Perthshire, innkeeper.—*Matthew Somerville*, Pathhead, near Kirkcaldy, Fifeshire, engraver.—*Wm. Wallace*, sen., Glasgow, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John White, Tavistock, Devonshire, butcher, June 10 at 10, County Court of Devonshire, at Barnstaple.—*Edwin Abrahams*, St. Mary, Southampton, colourman, June 17 at 10, County Court of Hampshire, at Southampton.—*John Brooks* the younger, Norwich, whitesmith, June 24 at 10, County Court of Norfolk, at Norwich.—*George Moss*, Covey, Isle of Ely, Cambridgeshire, grocer, June 20 at 11, County Court of Cambridgeshire, at Ely.—*W. Rees*, Swansea, Glamorganshire, grocer, June 17 at 10, County Court of Glamorganshire, at Swansea.—*Joseph Swannell*, Fen Drayton,

Cambridgeshire, butcher, June 19 at 1, County Court of Huntingdonshire, at Huntingdon.—*Edward Goodrick*, Godmanchester, Huntingdonshire, out of business, June 19 at 1, County Court of Huntingdonshire, at Huntingdon.—*John Snowden*, St. Neot's, Huntingdonshire, rope maker, June 20 at 10, County Court of Huntingdonshire, at St. Neot's.—*Thomas Pullon*, York, hatter, June 23 at 10, County Court of Yorkshire, at York.—*David Missel*, Strangeways, Manchester, picture dealer, June 27 at 12, County Court of Lancashire, at Manchester.—*Evan Crookell*, Hulme, Lancashire, packer, June 27 at 12, County Court of Lancashire, at Manchester.—*Mary Jackson*, Bridlington, East Riding of Yorkshire, single woman, June 18 at 11, County Court of Yorkshire, at Bridlington.—*Henry Porter*, Brandon, Suffolk, coal dealer, June 24 at 2, County Court of Norfolk, at Thetford.—*John Cossey*, Ufford, Suffolk, miller, June 19 at 1, County Court of Suffolk, at Woodbridge.—*Henry Howard*, Stoke-upon-Trent, Staffordshire, commission agent, June 12 at 10, County Court of Staffordshire, at Hanley.—*Joseph Wild*, Ashton-under-Lyne, Lancashire, warehouseman, June 19 at 12, County Court of Lancashire, at Ashton-under-Lyne.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 20 at 11, before the CHIEF COMMISSIONER.

Thomas Russell, Prichard's-place, London-fields, Hackney, Middlesex, butcher.—*Wm. H. Smith*, South-place, Upper Kennington-lane, Surrey, cheesemonger.

June 21 at 11, before Mr. Commissioner PHILLIPS.

John Gregg, Southampton-row, Bloomsbury, Middlesex, out of business.—*John Taitam*, Finchley, Middlesex, registrar of births, deaths, and marriages for the district of Finchley.—*John Heath* the elder, Harrow-st., Lisson-grove, Middlesex, out of employment.—*John Whittle*, Cheapside, London, professor of singing.—*Robert Dalzell*, New Charlton, Kent, engineer.

June 23 at 10, before Mr. Commissioner LAW.

Robert Turneyde, Thomas-street, New-road, Whitechapel, Middlesex, butcher.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 20 at 11, before the CHIEF COMMISSIONER.

Wm. B. Baker, Craven-street, Strand, Middlesex, not in any employment.

June 23 at 10, before Mr. Commissioner LAW.

Henry W. Jennings, Spa-terrace, Spa-road, Bermondsey, Surrey, dealer in old building materials.—*Thomas Culf*, Quaker-street, Spitalfields, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, June 19.

Richard Platt, Portsea, baker.

At the County Court of Lancashire, at LANCASTER, June 20 at 11.

John Smith, Blackburn, stonemason.—*John Marsland*, Hollinwood, near Oldham, agent for the sale of timber.—*J. Hoyle*, Cage Mill, near Rochdale, woollen carder.—*J. Baker*, Wood Top, near Burnley, iron moulder.—*Thomas Baker*, Old Royd, near Todmorden, chain maker.—*Robinson Baker*, Todmorden, blacksmith.—*James Wittington*, Manchester, fruiterer.—*Nathan Glass*, Liverpool, assistant to a horse dealer.—*Samuel Mitchell*, Liverpool, out of business.—*Jas. Sweeney*, Liverpool, cart owner.—*James Shephardson*, Liverpool, provision dealer.—*W. Cumley*, Blackley, near Manchester, out of business.—*Philip Brideoake*, West Leigh, near Leigh, grocer.—*John Hurst*, Liverpool, out of business.—*Wm. H. Leigh*, Blackburn, attorney-at-law.—*T. Kershaw*, Oldham, auctioneer.—*Richard Barlow*, Tottington Lower-end, farm labourer.

At the County Court of Yorkshire, at YORK CASTLE, June 23 at 10.

John Sykes, Huddersfield, manager to a woollen yarn manufacturer.—*Richard Dickenson*, Pannal, near Knaresbo-

rough, publican.—*Nehemiah Tiltitt*, Leeds, out of business.—*J. Kirby*, Otterington, near Thirsk, miller.—*H. Blackburn*, Bradford, Yorkshire, hairdresser.—*B. Dalby*, Wetherby, chemist.—*F. Marsden*, Horbury, near Wakefield, out of business.—*J. Wilson*, Horbury, near Wakefield, out of business.—*Charles Walsh*, Wakefield, out of business.—*Edward Linley*, Sheffield, umbrella steel frame manufacturer.—*Jacob Wood*, Scarscroft, near Wetherby, omnibus driver.—*James Clayton*, Farnley-moor Top, near Leeds, wheelwright.—*Joseph Fisher*, Leeds, out of business.—*James Taylor*, Holmfirth, near Huddersfield, clothier.—*Joseph Tolson*, Birkby, near Huddersfield, woollen cloth merchant.—*John Sykes*, Huddersfield, grocer.—*John Booth*, Guiseley, near Leeds, woollen manufacturer.—*John Craven*, Bradford, butcher.—*Thomas Clough*, Adwalton, near Leeds, coal miner.—*Peter King*, Roccliffe, near Boroughbridge, farmer.—*James Hirst*, Holmfirth, near Huddersfield, out of business.—*William Wellington Milnes*, Lockwood, near Huddersfield, grocer.—*Wm. Johnson*, Bradford, stonemason.

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The Jurist

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JUNE 14, 1851.

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LONDON, JUNE 14, 1851.

THE plan for improving the Court of Chancery as a court of appeal, which was brought forward some time ago, and on which we commented in *THE JURIST*, (*ante*, p. 109), is, it is said, to be replaced by another, of which it is also said, though this seems incredible, that it has the approbation of all the judges and of all the Queen's counsel! The plan is simple enough—it is to appoint two judges in the nature of assistant judges to the Chancellor, who are to sit with him when he can attend, and without him when he cannot, to form a court of appeal. The apparent object is to have a permanent and strong court of appeal. We confess we do not see how to admire this plan much more than the former. It bears a plausible appearance; but if its probable workings are traced out, they will be found, as we think, to be most mischievous. In the first place, the avowed object of the arrangement—its alleged necessity—rests upon the supposition, that the Chancellor requires to be allowed more time for his political and general avocations than he can spare from his court at present; so that the intention is, and no doubt the consequence will be, that the Chancellor, instead of sitting four days in a week in the Court of Chancery, will sit probably not more than three or two days. The effect of this upon the legal mind of a Chancellor cannot but be prejudicial. Of all branches of human learning, none requires more, as is well known, to be kept up by constant practice, than the law. In itself perpetually changing, as the varying wants of mankind require new adaptations of old principles,—consisting of a multitude of rules and maxims, few of which are capable of being deduced by any mere process of reasoning—most of which, on the contrary, are so qualified by exceptions, that to know them is a matter at least as much of memory as of reasoning,—it is a science which it is not possible for the most vigorous mind to

retain, so as to apply it readily and usefully, except by the aid of continual practice. A plan, therefore, the very essence of which is to take the highest functionary in the law, and deliberately to let him rust, is, on that ground alone, objectionable. But it has other faults in its more remote consequences—it will inevitably tend to make the office of Lord Chancellor much more a mere political office than it is. Now, the complaint—the unfounded complaint, as we believe, but still the actual complaint of the public is, that the office of Lord Chancellor is already too much a political office. For this alleged defect, the remedy proposed is to relieve the Chancellor of judicial duties, confessedly that he may have more time for political duties. Can it be supposed, that if it should become once established that the Chancellor may properly leave his court to his assistant judges, in order to give a more undivided attention to politics—can it, we say, be supposed that political distinction and political services will not be much more sought, in the selection of a Chancellor, than they now are? And can it be supposed that men who strive for the Great Seal will care much to acquire profound knowledge of the law, if they know that it is not such knowledge that will win the prize, but rather brilliant debating and party services?

In principle, therefore, we conceive the proposed plan is very bad; but it is bad also in its practical detail. For, if there is to be a court of appeal consisting of more than one judge, it ought to be so constituted as to afford habitually the probability of a majority. Now, since confessedly the court of appeal is intended to consist, for at least half its time, of the assistant judges, without the Chancellor, we shall have very frequently two judges, and no more, sitting together. All the experience of mankind shews that two minds at all equal, and equally cultivated, even separate, scarcely ever take the same view of any subject capable of admitting the slightest doubt. In two

men of such minds act with equal authority, and in presence of each other, and the difficulty of agreement is increased tenfold. Whether it be by force of the spirit of antagonism, which nothing roots out of the mind of man, or whether it be by reason of any other quality of the human mind, it is useless to inquire. But certain it is, that, in point of fact, any two persons acting as judges, with equal authority, scarcely ever do agree. If this be true, the result will be, that so far from the court of appeal getting through more business, it will get through less; because of the causes heard before the two assistant judges, absent the Chancellor, a large proportion will have to be reheard before the Chancellor and his assistant judges. If there is to be such a court at all, there ought to be three assistant judges; with two, we firmly believe the court will never work, in practice.

Our view of the matter is, and always has been, that the office of Lord Chancellor is well as it is, and ought not to be either abolished or frittered away. The true way of adapting the duties of the Chancellor to the capabilities of men to labour, is to withdraw from him some portion of his judicial labours, which might just as well be performed by the subordinate courts; such as, for instance, original lunacy business; perhaps also to lighten his political and general duties, by withdrawing those which are of a common-place kind. But if the office of Chancellor is to be *de facto* a great and useful public office, the Chancellor ought to be what he is now—at once a great legal and a great political functionary; and the road to the office should be through great services and distinction in both departments.

If his office is thought useless as a judicial office, it would be better to abolish it altogether, and substitute for it an appellate court, composed of merely eminent lawyers, than to constitute a court of which the head is to have the privilege of being absent as much as he likes; of forgetting law as much as he likes; and yet, in effect, of being the judicial arbiter whenever his more practised brethren differ.

Under such a system, a Chancellor must inevitably become a *Roi faineant*, or an unbearable dispenser of injustice. For ourselves, we sincerely and devoutly wish the proposed bill all the success it deserves, and that will be, in our view, immediate and contumelious rejection by the Legislature.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—John Rogers Browne, of the town of Nottingham; James Blenkinsop, of Liverpool, Lancashire; Thomas Udall, of Newcastle-under-Lyme, Staffordshire; Arthur Ransom, of Sudbury, Norfolk; George Colquhoun, of Woolwich, Kent; Thomas Southam, of Manchester, Lancashire.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—Edmund Gilling Hallewell, Esq., for the borough of Newry, in the room of the Hon. Francis Jack Needham, (commonly called Viscount Newry and Mome), deceased; Sir Archibald Islay Campbell, Bart., for the county of Argyll, in the room of Duncan McNeill, Esq., who has accepted the office of one of the judges of the Supreme Court of Scotland; James Johnstone, Esq., for the combined counties of Clackmannan and Kinross, in the room of Major-General William Morison, deceased.

OBSERVATIONS ON THE WINDING-UP ACTS.

WE pursue the subject of our paper of last week, for which the report of *Upfill's case* (15 Jur., part 1, p. 481) affords additional information. That case relates to a call for the payment of debts, but the principle which governs the construction of the act must, we conceive, be the same as to calls for payment of debts and calls for payment of costs. Before proceeding, we will observe, that we inadvertently fell into an error in our former paper with reference to the clause of the act of 1848 repealed by the act of 1849, the clause repealed being the 84th, and not the 83rd; so that a portion of the argument, viz. that founded on the supposition of the deliberate exclusion by the Legislature, in the act of 1849, of the restriction in the 83rd clause of the act of 1848, fails. In the result, however, the error is not material, as the principal arguments against the decision in *Upfill's case*, and in the other case upon calls for costs, turn upon the general scope of the Winding-up Acts, and particularly upon the construction of the 83rd section of the act of 1848, and the 28th section of the act of 1849. The restriction in the 83rd section of the act of 1848 would seem to have been held in *Upfill's case* to apply to the liability of the contributories, at law or in equity, to pay the particular debts or costs for which calls are made. But the position of the restrictive paragraph seems rather to make it apply to the liability, at law or in equity, to pay the calls*. That is, we conceive, that the true construction of the clause is, that calls are to be made only to the extent to which contributories have contracted, so as, at law or in equity, to bind themselves, as between them and the company, to pay calls; not that the liability to third parties to pay their claims is the question to be considered. In other words, the intention of the statute is to limit the extent of calls that may be made, not to ascertain the personal liability to the public, of the contributory. That this must be the true construction will, we submit, appear from the following reasons:—The very meaning of calls is to establish a contribution in respect to a given claim, as between those, every one of whom is or may be liable to pay the whole of such claim. The Legislature could not have, therefore, intended, by its restriction, that a call in respect of a debt should be made only so far as each contributory should be liable to pay such debt, because, if it did, it would amount to saying that a call should not be made upon each of several shareholders larger than the amount of the liability of each of such shareholders; in other words, that assuming each to be liable to the whole, each should not be called upon to pay more than the whole. Such a restriction upon a call, which implies subdivision and contribution, would be quite inapplicable; and it will be observed,

* Sect. 83. "That at any time before the whole of the assets of such company shall have been collected or converted, and if the assets remaining to be collected or converted shall not be capable of being immediately realised, although such assets may not appear to be insufficient, and also after the assets of the company shall have been wholly exhausted, it shall be lawful for the Master from time to time to make calls on the contributories, or on such individual contributories or classes of contributories as he may think proper, (but so far only as such contributories respectively shall be liable, at law or in equity, to pay the same), as well for raising such amount as may be necessary to pay the debts or liabilities or any of the debts or liabilities of such company, or any part thereof, or the costs, charges, and expenses of winding up the same, as also for the purpose of adjusting and settling the respective claims of contributories upon each other, or upon the company, whether such claims shall have arisen since or before the date of the petition for dissolution and winding up, or for winding up, as the case may be."

that the language of the restriction is not *if* the contributory shall be liable, but *so far* as he shall be liable; that is, to the extent or amount to which he shall be liable. We apprehend, therefore, that what the Legislature contemplated in the 83rd section of the act of 1848 was not the liability of contributories to the public, but the extent of their liability under their contract, *inter se*, to pay calls.

Again: that this must be the construction of the acts appears, we apprehend, from the following general considerations:—The acts do not profess to adjudicate between companies or their shareholders, and the public: they leave all legal claims of creditors untouched; they vary or interfere at least only with the remedies, and that but to a small extent; they leave the rights untouched. What they do purport to deal with are the liabilities *inter se* of the contributories. It is quite possible that a shareholder, by his dealing with a third party, may not be liable to that third party, and yet that by his contract with his co-shareholders, he may be liable to pay to them his share of the liability at law contracted by them. With this it is that the statutes deal. This is his liability, at law or in equity, to calls; and this is the liability spoken of, we apprehend, in the 83rd section of the act of 1848.

London Gazette.

TUESDAY, JUNE 10.

BANKRUPTS.

WILLIAM SMITH, West-hill-grove, Wandsworth-road, Surrey, timber dealer, June 24 at 11, and July 24 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Holcombe, 30, Chancery-lane.—Petition filed June 6.

SAMUEL RATLIFF, Aldham, Suffolk, miller, June 19 and July 25 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Robinson, Hadleigh, Suffolk; C. J. & H. Whishaw, 3, Gray's-inn-square.—Petition dated May 29.

HENRY MARTEN, Lewes, Sussex, draper, dealer and chapman, June 19 at 2, and July 21 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Sole & Turner, 66, Aldermanbury.—Petition filed May 30.

JAMES DUMMELOW, Fenchurch-street, London, broker and commission agent, June 23 at 11, and July 19 at half-past 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Lloyd, Milk-street, Cheapside.—Petition dated June 6.

LENY DEIGHTON SMITH, Little Knight Rider-street, London, calenderer, waterer, and embosser, June 23 at 12, and July 12 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Waller, jun., 24, Finsbury-circus, London.—Petition dated June 6.

WILLIAM GLAZIER, Bristol, grocer and shopkeeper, dealer and chapman, June 24 and July 22 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed June 7.

JAMES TURNER HALL, Northwich, Cheshire, bookseller, stationer, and printer, dealer and chapman, June 19 and July 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Barker & Cheshire, Northwich.—Petition dated June 7.

STEPHEN HEY and JOHN HEY, Colne, Lancashire, manufacturers, dealers and chapmen, June 25 and July 18 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Cooper & Son, Manchester.—Petition filed May 31.

JAMES HODGSON and JOSEPH HODGSON, Underbank, near Hebden-bridge, Halifax, Yorkshire, cotton-spinners, manufacturers, and dyers, June 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bond & Barwick, Leeds.—Fiat dated March 16.

MEETINGS.

Arnold Francis Willis and George Henry Wilson, Kingston-upon-Hull, merchants, July 9 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, pr. d.—*John*

Steele, Spotland-bridge, near Rochdale, Lancashire, brewer, June 21 at 11, District Court of Bankruptcy, Manchester, last ex.—*James Crossley*, Horsecroft, Rochdale, Lancashire, victualler, June 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Joseph Alfred Riehes*, Halesworth, Suffolk, maltster, June 28 at 1, Court of Bankruptcy, London, div.—*William Maude*, Bolton-le-Moors, Lancashire, licensed victualler, July 8 at 11, District Court of Bankruptcy, Manchester, fin. div.—*George Lumley*, Wigan, Lancashire, cotton manufacturer, July 3 at 11, District Court of Bankruptcy, Manchester, fin. div.—*Charles Pearsall*, Anderton, Cheshire, boiler maker, July 3 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Wm. Clayton*, Langcliffe, Yorkshire, *Wm. Clayton*, Lostock, Walton-le-Dale, and *William Wilson*, Preston, Lancashire, bankers, July 3 at 12, District Court of Bankruptcy, Manchester, div.—*Henry Smith*, West Bromwich, Staffordshire, ironfounder, July 3 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Horroell, Lower-marsh, St. Mary, Lambeth, Surrey, cheesemonger, June 28 at 12, Court of Bankruptcy, London.—*John Pennycad*, Woolwich, Kent, grocer, July 3 at 12, Court of Bankruptcy, London.—*Ann Walkden*, spinster, Horkstow, Lincolnshire, carrier, July 2 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Thos. Williams*, Sandiway, Weaverham, Cheshire, innkeeper, July 2 at 12, District Court of Bankruptcy, Liverpool.—*Wm. Parkinson*, Copy Nook, Blackburn, Lancashire, cotton manufacturer, July 1 at 12, District Court of Bankruptcy, Manchester.—*George Sayce*, Heywood, Lancashire, grocer, July 1 at 12, District Court of Bankruptcy, Manchester.—*Henry Hebb*, Preston, Derby, laceman, July 11 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Wm. Chisholm, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumer.—*Henry Collings*, Wickwar, Gloucestershire, innkeeper.—*Hugh Buchanan McMillan* and *R. Service Wilson*, Preston and Accrington, Lancashire, drapers.—*Wm. Newby*, Manchester, joiner.—*John Suker* and *Hen. Suker*, Birkenhead, Cheshire, carpet dealers.—*John Johnson*, Coventry, Warwickshire, wine merchant.

PARTNERSHIP DISSOLVED.

John Beardmore Wathen and *Arthur Lort Phillips*, Basinghall-street, London, attornies and solicitors.

SCOTCH SEQUESTRATIONS.

Andrew Galloway, Glasgow, merchant.—*John and Thomas Maclean*, Dundee, cabinet makers.—*Donald Stewart*, Inverness, silk mercer.—*James Glass*, deceased, Newburgh, Fifeshire, baker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Alexander William Mihell, Margate, Kent, shoemaker, June 14 at 10, County Court of Kent, at Margate.—*John Ing*, Long Crendon, Buckinghamshire, baker, June 26 at 10, County Court of Oxfordshire, at Thame.—*Samuel Bryant*, Kingswood-hill, Gloucestershire, grocer, July 30 at 11, County Court of Gloucestershire, at Bristol.—*John Marks*, Bristol, sailmaker, July 23 at 11, County Court of Gloucestershire, at Bristol.—*Amelia Holmes Reid*, Bristol, teacher of dancing, July 2 at 11, County Court of Gloucestershire, at Bristol.—*Edward Gillett*, Bristol, retailer of beer, July 2 at 11, County Court of Gloucestershire, at Bristol.—*Thos. Clee*, Clifton, Bristol, beer retailer, July 2 at 11, County Court of Gloucestershire, at Bristol.—*J. Young*, Bristol, beer retailer, June 18 at 11, County Court of Gloucestershire, at Bristol.—*Richard Millman*, Bristol, milkman, July 30 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Wm. James*, Canterbury, Kent, saddler, June 17 at 10, County Court of Kent, at Canterbury.—*Wm. Hammond Walshaw*, Ickleton, Cambridgeshire, tailor, June 25 at 10, County Court of Essex, at Saffron Walden.—*Isaac Curtis*, Leamington-priors, Warwickshire, hotel keeper, June 23 at 2, County Court of Warwickshire, at Warwick.—*Joel Carter*, Harpford, Devonshire,

farmer, June 18 at 10, County Court of Devonshire, at Honiton.—*Henry Griffin* the younger, Bickwell Farm, Sidmouth, Devonshire, out of business, June 18 at 10, County Court of Devonshire, at Honiton.—*George Cooper*, Northwimbrough, Odiham, Southampton, out of business, June 21 at 10, County Court of Hampshire, at Basingstoke.—*Jervis Williams*, Crosscyclog, Llanvrechva Lower, Monmouthshire, retailer of beer, June 24 at 10, County Court of Monmouthshire, at Pontypool.—*Charles Jones*, Pontypool, Monmouthshire, blacksmith, June 24 at 10, County Court of Monmouthshire, at Pontypool.—*Henry John Nixon*, Oxford, clerk in holy orders, June 24 at 2, County Court of Oxfordshire, at Oxford.—*Hen. Kenney*, Great Massingham, Norfolk, shoemaker, June 17 at 6, County Court of Norfolk, at King's Lynn.—*John Benister*, Wolverhampton, Staffordshire, attorney's clerk, June 24 at 12, County Court of Staffordshire, at Wolverhampton.—*Hyld Cope*, Bloxwich, Staffordshire, bridle bit maker, June 21 at 12, County Court of Staffordshire, at Walsall.—*Joseph Henry Moore*, Walsall, Staffordshire, attorney-at-law, June 21 at 12, County Court of Staffordshire, at Walsall.—*George Cattell Stringer*, Walsall, Staffordshire, attorney's clerk, June 21 at 12, County Court of Staffordshire, at Walsall.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 25 at 11, before the CHIEF COMMISSIONER.

David G. Edis, Coleman-street, Linton-street, New North-road, Islington, Middlesex, and Great Bush-lane, London, dealer in foreign wines.—*John F. T. Kleinman*, College-st., Fulham-road, Chelsea, Middlesex, out of business.—*Israel Luck*, Deptford-green, Deptford, Kent, shoeing smith.—*Jas. Parker*, Goswell-street, St. Luke's, Middlesex, general agent.

June 25 at 10, before Mr. Commissioner LAW.

Abraham Ewart, Charlotte-street, Pimlico, Middlesex, fishing tackle maker.—*Edward Reid*, Rose-cottage, Junction-road, Upper Holloway, Middlesex, second clerk of entries in the Chancery Report-office, Chancery-lane, Middlesex.—*Arthur Peede*, Liquorpond-street, Gray's-inn-lane, Middlesex, druggist.

Saturday, June 7.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thompson Wainwright, Birmingham, town traveller, No. 73,587 C.; *John Troup*, assignee.—*James Watson*, Cowling, Yorkshire, tea dealer, No. 73,716 C.; *W. Bariston*, assignee.—*Robert Tinsley*, Salford, Lancashire, dyer, No. 73,006 C.; *John G. Appleton* and *Thomas Rutter*, assignees.—*Elizabeth Freeman*, Lombard-street, Chelsea, Middlesex, baker, No. 62,200 T.; *Nicholas James Roper*, assignee.—*Jos. Bennett*, Woolwich, Kent, tobacconist, No. 62,158 T.; *Abraham Phillips*, assignee.—*John Henry Doyle*, Strand, Middlesex, editor of the Weekly Chronicle newspaper, No. 62,138 T.; *R. U. Snow*, assignee.—*Alex. Gordon John Bishop*, Duke-street, Manchester-square, Middlesex, clerk, No. 60,913 T.; *Wm. R. Griesback*, assignee.

Saturday, June 7.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Patrick Galvin, Market-street, Fitzroy-market, Middlesex, bricklayer's labourer: in the Debtors Prison for London and Middlesex.—*Henry Stanley*, Euston-grove, Euston-square, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Henry Wagstaff*, Woodfield-road, Harrow-road, Paddington, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Hawkins Way*, Upper Seymour-street, Portman-square, Middlesex, evening master to a ragged school: in the Debtors Prison for London and Middlesex.—*John Raine Dinks*, Post-office Coffee-house, St. Martin's-le-Grand, London, draper's assistant: in the Debtors Prison for London and Middlesex.—*Henry Pinker*, Pitt-street, Commercial-road, Peckham, Surrey, stonemason:

in the Gaol of Surrey.—*Charles Hyland*, Great Guildford-st., Southwark, Surrey, butcher: in the Debtors Prison for London and Middlesex.—*M. May*, widow, Lower Belgrave-place, Pimlico, Middlesex, house agent: in the Debtors Prison for London and Middlesex.—*George Johnson*, Bayham-street South, St. Pancras, Middlesex, journeyman to a cowkeeper: in the Debtors Prison for London and Middlesex.—*Wm. John Haives*, Lisson-street, New-road, Middlesex, poultryer: in the Debtors Prison for London and Middlesex.—*John Thurrell*, Robert-street, Grosvenor-square, Middlesex, upholsterer: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Elizabeth Breeze, widow, Twyford's-buildings, Gate-street, Lincoln's-inn-fields, Middlesex: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

John M. Ayres, Great Yarmouth, Norfolk, tallow chandler: in the Gaol of Norwich.—*Richard Barlow*, Tottington Lower End, near Bury, Lancashire, labourer: in the Gaol of Lancaster.—*John Crawford*, Newcastle-upon-Tyne, ironfounder: in the Gaol of Newcastle-upon-Tyne.—*Robert Clay*, Newcastle-upon-Tyne, coal fitter: in the Gaol of Newcastle-upon-Tyne.—*Wm. Hall*, Newcastle-upon-Tyne, furrier: in the Gaol of Newcastle-upon-Tyne.—*John Cave Hill*, Great Yarmouth, Norfolk, linendraper: in the Gaol of Norwich.—*George Humphreys* the younger, Liverpool, licensed victualler: in the Gaol of Lancaster.—*Thomas Hudson*, Birkenhead, Cheshire, ship broker: in the Gaol of Lancaster.—*Thomas Kershaw*, Oldham, Lancashire, auctioneer: in the Gaol of Lancaster.—*Thomas Walton*, Newcastle-upon-Tyne, cork cutter: in the Gaol of Newcastle-upon-Tyne.—*Wm. Thomas*, Aberavon, Glamorganshire, publican: in the Gaol of Cardiff.—*James Sweeney*, Liverpool, cart owner: in the Gaol of Lancaster.—*Thomas Ambridge*, Little Hampton, Sussex, jobber: in the Gaol of Petworth.—*Robert Aikin*, Norwich, linendraper: in the Gaol of Norwich.—*George Bengier*, Mangotsfield, Gloucestershire, miller: in the Gaol of Gloucester.—*James W. Dentith*, Liverpool, ale dealer: in the Gaol of Lancaster.—*Phineas B. Hans*, Southampton, Hampshire, dealer in hops: in the Gaol of Southampton.—*Edward Lay*, Birmingham, miller: in the Gaol of Coventry.—*Lewis Rees*, Aberavon, near Aberdare, Glamorganshire, greengrocer: in the Gaol of Cardiff.—*Charles L. Tytherleigh*, Highworth, Wiltshire, grocer: in the Gaol of St. Thomas the Apostle.—*Robert Thomas C. Yates*, Oxford, undergraduate of Magdalen Hall, in the University of Oxford: in the Gaol of Oxford.—*Wm. R. Bennett*, Coventry, Warwickshire, cattle dealer: in the Gaol of Coventry.—*Chas. E. Hill*, Witney, Oxfordshire, shoemaker: in the Gaol of Oxford.—*John Halliday*, Newcastle-upon-Tyne, builder: in the Gaol of Newcastle-upon-Tyne.—*Peter Nicol*, Hildershorpe, Yorkshire, commission agent: in the Gaol of Kingston-upon-Hull.—*Maurice Wynn Owen*, Pembroke, money scrivener: in the Gaol of Havrefordwest.—*Richard Higham*, Salford, Lancashire, twine manufacturer: in the Gaol of Lancaster.—*Samuel Nicholls*, Walsall, Staffordshire, carpenter: in the Gaol of Stafford.—*George Sutcliffe*, Sowerby-bridge, near Halifax, Yorkshire, attorney-at-law: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 24 at 11, before the CHIEF COMMISSIONER.

Hanorah Flanagan, Shepperton-street, New North-road, Islington, Middlesex, slater.—*George West*, William-mews, Lowndes-sq., Chelsea, Middlesex, gentleman's coachman.

June 25 at 10, before Mr. Commissioner LAW.

James Crocker, Upper Weymouth-st., Marylebone, Middlesex, greengrocer.—*James Newlove* the younger, Margate, Kent, schoolmaster.

June 26 at 11, before Mr. Commissioner PHILLIPS.

Wm. Rowlingson, William-terrace, Grove-st., New-town, Poplar, out of business.—*James John Pheger*, Scarborough-street, Tenter-ground, Minorities, London, not following any business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, June 23 at 10.

John F. L. Maxwell, Thorney, Isle of Ely, out of business.—Charles Woods the younger, Cambridge, college servant.—Simon Godfrey, Chesterton, boat builder.

At the County Court of Cambridgeshire, at CAMBRIDGE, June 23 at 10.

Samuel Goddard, Wisbech St. Peter, bookseller.

At the County Court of Oxfordshire, at OXFORD, June 24.

John Cox White, Neithrop, retailer of beer.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, June 24 at 10.

K. Crawford, Great Yarmouth, linendraper.

At the County Court of Norfolk, at NORWICH, June 24.

John M. Ayers, Great Yarmouth, tallow chandler.—John C. Hill, Great Yarmouth, linendraper.—William Sheraton, Terrington St. Clement's, farmer.

At the County Court of Norfolk, at NORWICH, June 25 at 10.

Robert Aikin, Heigham, Norwich, out of business.—Rich. Tatlam the younger, Norwich, conductor to an omnibus.

At the County Court of Gloucestershire, at BRISTOL, June 25 at 11.

John Harding, Bristol, commission agent.—Joseph Purnell, Bristol, licensed victualler.

At the County Court of Northumberland, at NEWCASTLE, June 26 at 10.

Robert Clay, Newcastle-upon-Tyne, coal fitter.—Thomas Walton, Newcastle-upon-Tyne, cork cutter.—Henry Falk, Newcastle-upon-Tyne, dealer in watches.—John Crawford, Newcastle-upon-Tyne, ironfounder.—Wm. Hall, Newcastle-upon-Tyne, furrier.—John Halliday, Newcastle-upon-Tyne, builder.

At the County Court of Lancashire, at MANCHESTER, June 27 at 12.

Arthur Conboy, Hulme, Manchester, out of business.

MEETING.

Samuel Penn the elder, Aston, near Birmingham, steam-engine boiler manufacturer, June 27 at 12, Benson's, Birmingham, sp. aff.

FRIDAY, JUNE 13.

BANKRUPTS.

CHARLES MOODY, Goswell-road, Clerkenwell, Middlesex, pork butcher, poulterer, and cheesemonger, June 19 at half-past 1, and July 25 at 11, Court of Bankruptcy, London: Off. Ass. Cunnan; Sols. Smith & Co., 3, Basinghall-street.—Petition dated June 13.

JOHN MARTEN WOOD, Barbican, London, victualler, dealer and chapman, June 25 and July 25 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Hine & Robinson, 32, Charterhouse-square.—Petition filed June 12.

JOHN WALTERS, Great Rider-street, St. James's, Middlesex, licensed victualler, June 25 and July 25 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Dimmock & Burbey, 2, Suffolk-lane, Cannon-street, City.—Petition filed June 4.

JOHN MILDRED, Oakley-terrace, Chelsea, Middlesex, builder, June 24 at 11, and July 24 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Turnley, 16, Cornhill.—Petition filed June 3.

JOHN LATHAM, Howland-street, Fitzroy-square, Middlesex, pianoforte manufacturer, dealer and chapman, June 21 at 11, and Aug. 2 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Paxon, 16, Bloomsbury-square.—Petition dated June 11.

THOMAS FISHER, Gower-street, Bedford-square, and Tottenham-street, Tottenham-court-road, Middlesex, pianoforte manufacturer, June 26 at 11; and July 15 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Cox, Finner's-hall, Old Broad-street.—Petition filed June 11.

WILLIAM CLIPSON, Chester, builder, dealer and chapman, June 20 and July 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Hostage, Chester.—Petition filed June 5.

BENJAMIN WHITTAKER and **JOHN FULLALOVE**, Ancoats, Lancashire, manufacturers, dealers and chapmen, June 30 and July 21 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Hitchcock & Co., Manchester.—Petition filed June 7.

MEETINGS.

Samuel Vines, Crutched-friars, London, cornfactor, June 24 at 11, Court of Bankruptcy, London., pr. d.—*S. T. Jay*, Badley, Suffolk, miller, June 24 at 11, Court of Bankruptcy, London, last ex.—*James Emery*, Preston, Lancashire, innkeeper, June 25 at 11, District Court of Bankruptcy, Manchester, last ex.—*Robt. Wm. Street*, Oxford-street, Middlesex, victualler, July 4 at 11, Court of Bankruptcy, London, and ac.—*Geo. Lea*, Eccleston Coal-wharf, Upper Belgrave-place, Pimlico, Middlesex, and Belgrave-cottage, Nunhead-lane, Peckham-rye, Surrey, coal merchant, June 25 at half-past 12, Court of Bankruptcy, London, and ac.—*T. Stam*, Claremont-terrace, and Pensbury-place, Wandsworth-road, and York-cottage, York-road, Battersea, Surrey, builder, June 25 at half-past 1, Court of Bankruptcy, London, and ac.—*F. A. Dietrich*, Bennett-street, Stamford-street, Blackfriars-rd., Surrey, hat manufacturer, June 24 at 11, Court of Bankruptcy, London, and ac.—*Rich. Edwards*, Sudbury, Suffolk, linendraper, June 30 at half-past 12, Court of Bankruptcy, London, and ac.—*Richard S. Smith*, Southsea, Portsea, Southampton, ironmonger, June 30 at 1, Court of Bankruptcy, London, and ac.—*Frederick S. A. France*, Lambeth-walk, Lambeth, Surrey, clothier, June 30 at 2, Court of Bankruptcy, London, and ac.—*George Stockbridge*, Oxford-st., Middlesex, draper, July 1 at 12, Court of Bankruptcy, London, and ac.—*Geo. Frederick Jones*, East Isley, Berkshire, surgeon, July 1 at 12, Court of Bankruptcy, London, and ac.—*Hen. Christopher Billing*, Cheapside, London, silversmith, June 26 at 11, Court of Bankruptcy, London, and ac.—*Charles May*, Norwich, *Wm. Leopold Metcalfe*, Great Yarmouth, Norfolk, and *Charles James Metcalfe*, Roxton, Bedfordshire, soap manufacturers, June 26 at 12, Court of Bankruptcy, London, and ac.—*Wallis James Garrett*, Bath, Somersetshire, grocer, June 26 at 11, District Court of Bankruptcy, Bristol, and ac.—*Tryall Holcroft*, Manchester, silk manufacturer, June 26 at 12, District Court of Bankruptcy, Manchester, and ac.—*John Law*, Ramsden Wood, near Todmorden, and *Eli Hudson*, Gale, near Littleborough, Lancashire, cotton spinners, June 26 at 12, District Court of Bankruptcy, Manchester, and ac.—*Samuel Smith*, Manchester and Salford, Lancashire, grocer, June 27 at 12, District Court of Bankruptcy, Manchester, and ac.; July 4 at 12, fin. div.—*John Jowett* the elder, *John Jowett* the younger, and *Jeremiah Jowett*, Preston and Longridge, Lancashire, stonemasons, June 26 at 11, District Court of Bankruptcy, Manchester, and ac.—*Jon. Hodson* and *Charles Quarrell*, Radcliffe, Lancashire, calico printers, June 26 at 11, District Court of Bankruptcy, Manchester, and ac.; July 4 at 11, fin. div.—*Chas. Pearsall*, Anderton, Cheshire, boiler maker, June 26 at 12, District Court of Bankruptcy, Manchester, and ac.—*Geo. Lumley*, Wigan, Lancashire, cotton manufacturer, June 26 at 11, District Court of Bankruptcy, Manchester, and ac.—*William Clayton*, Langcliffe, Yorkshire, *Wm. Clayton*, Lostock, Walton-le-Dale, and *Wm. Wilson*, Preston, Lancashire, bankers, June 26 at 12, District Court of Bankruptcy, Manchester, and ac.—*Thos. Oocleshead* and *Chas. Cummins*, Liverpool, commission agents, June 27 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Suher* and *Henry Suher*, Birkenhead, Cheshire, carpet dealers, June 26 at 11, District Court of Bankruptcy, Liverpool, and ac.—*James Mack* and *George Gill*, Liverpool, merchants, June 26 at 11, District Court of Bankruptcy, Liverpool, and ac.—*James Peter Oldfield*, Liverpool, commission merchant, June 26 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Henry Smith*, West Bromwich, Staffordshire, ironfounder, July 3 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Rev. Thos. Fisher*, North Ferriby, Kingston-upon-Hull, *Rev. J. Fisher*, Higham-on-the-Hill, and *Mary Simmonds*, widow, Ashby-de-la-Zouch, Leicestershire, bankers, June 27 at 10, District Court of Bankruptcy, Nottingham, and ac.—*James Cuthbush*, Kennington, near Ashford, Kent, nurseryman,

July 4 at 11, Court of Bankruptcy, London, div.—*John Chisholm* and *Wm. Chisholm*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, July 4 at half-past 1, Court of Bankruptcy, London, div. sep. est. of *Wm. Chisholm*.—*George Staight*, Skinner-st., Snow-hill, London, worker in ivory, July 5 at 11, Court of Bankruptcy, London, fin. div.—*Wm. Gilley Wilde*, Ross, Herefordshire, tanner, July 7 at 11, District Court of Bankruptcy, Bristol, div.—*Thomas Clarke*, Newport, Monmouthshire, grocer, July 4 at 12, District Court of Bankruptcy, Bristol, div.—*Jesse Ross*, Leicester, woolstapler, July 11 at 10, District Court of Bankruptcy, Nottingham, fin. div.—*John Bowers*, *Joseph Bowers*, and *Sarah Ann Bowers*, Worcester, grocers, July 7 at 10, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Prangley, New Sarum, Wiltshire, music-seller, July 4 at half-past 1, Court of Bankruptcy, London.—*Thomas L. Clayton*, Pottesgrove, near Woburn, Bedfordshire, milkman, July 4 at 1, Court of Bankruptcy, London.—*Alfred Smith Breese* and *George Smith Breese*, Aylesham, Norfolk, iron-mongers, July 5 at 11, Court of Bankruptcy, London.—*C. Snelling*, Gracechurch-st., London, hairdresser, July 5 at 12, Court of Bankruptcy, London.—*John Dew* and *Jane Estill*, Bath, Somersetshire, pawnbrokers, July 8 at 12, District Court of Bankruptcy, Bristol.—*James Beeth*, Shiffnal, Shropshire, apothecary, July 7 at 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. Tennant, Chertsey, Surrey, draper.—*Nema Berton*, Princes-st., Hanover-sq., Middlesex, tailor.—*John Barugh*, High Holborn, Middlesex, oil and colour man.—*Charles Dovy* and *Jacob Dixon*, Devonshire-street, Queen-sq., Bloomsbury, Middlesex, goldsmiths.—*John V. Scantlebury*, Conduit-street East, Paddington, Middlesex, carpenter.

SCOTCH SEQUESTRATIONS.

Robt. Crane, Whiffat, Old Monkland, Lanarkshire, grocer.—*John Stephen*, deceased, Glasgow, architect.—*Thos. Binny*, Burnside of Carse, Forfarshire, farmer.—*J. Lawson*, Dundee, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Frederick W. Evans, Bristol, assistant to a hatter, June 18 at 11, County Court of Gloucestershire, at Bristol.—*Joshua Sowndy*, Waltham St. Lawrence, Berkshire, general-shop keeper, June 17 at 11, County Court of Buckinghamshire, at High Wycombe.—*John Lindley*, Mansfield, Nottinghamshire, stonemason, July 8 at 9, County Court of Nottinghamshire, at Mansfield.—*Benjamin Summer*, Hanks-worth, Nottinghamshire, tailor, July 12 at 10, County Court of Nottinghamshire, at Bingham.—*Frederick J. Melton*, Rougham, Suffolk, out of business, June 23 at 10, County Court of Suffolk, at Bury St. Edmund's.—*George Batley*, Lydgate, near Holmfirth, Yorkshire, out of business, July 11 at 10, County Court of Yorkshire, at Huddersfield.—*Wm. Saville*, Milnes-bridge, Almonds-bury, Yorkshire, cloth miller, July 11 at 10, County Court of Yorkshire, at Huddersfield.—*Joseph Ellis*, Halifax, Yorkshire, stone deliver, June 27 at 10, County Court of Yorkshire, at Halifax.—*Thomas Collman*, Arnesby, Leicestershire, plumber, July 9 at 10, County Court of Leicestershire, at Leicester.—*Thomas Ashley*, Oxford, boatmaster, June 24 at 2, County Court of Oxfordshire, at Oxford.—*Peter Hyde* the younger, Pixham, Powick, Worcestershire, victualler, June 20 at 10, County Court of Worcestershire, at Upton-upon-Severn.—*Edward Buerley*, Wardleworth, Rochdale, Lancashire, ginger-beer maker, July 3 at 12, County Court of Lancashire, at Rochdale.—*Charles Brown*, Wickwar, Gloucestershire, grocer, June 28 at 11, County Court of Gloucestershire, at Chipping Sodbury.—*Mark Norman*, Coathill, Wetheral, Cumberland, shoemaker, June 24 at 10, County Court of Cumberland, at Carlisle.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

June 27 at 11, before the CHIEF COMMISSIONER.

Henry Hunt, Lower Sydenham, Lewisham, Kent, tailor.—*Charles McCarthy*, Wapping-wall, St. Paul, Shadwell, Middlesex, shipping butcher.—*William Durham Marks*, St. John's-street-road, Clerkenwell, Middlesex, clerk in the Privy Council-office.—*James Kerslake* the elder, Brunswick-street, Stamford-street, Blackfriars-road, Surrey, out of business.

June 27 at 10, before Mr. Commissioner LAW.

William Hobden Eldridge, Providence-buildings, New Kent-road, Surrey, tailor.

June 30 at 10, before Mr. Commissioner LAW.

Thomas Heat, Cross-street, Islington, Middlesex, grocer.—*J. William Quarterman*, Hounslow, Heston, Middlesex, mealman.—*Henry Hitchcock*, White Hart-place, Kennington-cross, Surrey, greengrocer.—*Dawson Poulter*, Ranelagh-grove, Pimlico, Middlesex, clerk to the Reform-club, Pall-mall, Middlesex.

June 28 at 11, before Mr. Commissioner PHILLIPS.

Richard Moore, Havill-street, Camberwell, Surrey, and Lillington-street, Vauxhall-bridge-road, Middlesex, clerk in the Privy Council-office, Whitehall.—*Charles McIntosh*, Noble-street, Goswell-street, Middlesex, man milliner.—*John Morris*, Execution-dock, Wapping, Middlesex, licensed victualler.—*John Bolton*, St. John-street, Smithfield-bars, Middlesex, patten manufacturer.—*Charles Cannon*, Gloucester-place, Kentish-town, St. Pancras, Middlesex, attorney's clerk.—*Edward Burton*, Mary-street, Hoxton, Middlesex, out of business.—*Edmund Henry Lenthall*, Phillimore-terrace, Kensington, Middlesex, attorney-at-law.

June 30 at 11, before Mr. Commissioner PHILLIPS.

John Fletcher, Northumberland-street, New-road, Maryk-bone, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

June 27 at 11, before the CHIEF COMMISSIONER.

James Peter Munting, Gray's-inn-lane, Middlesex, out of business.—*Stephen Garrett*, Crimscoot-street, Grange-road, Bermondsey, Surrey, out of business.—*Allen Philip Hare*, Richmond, Surrey, sworn broker.—*Richard Ormerod Potts*, Walcot-square, Lambeth, Surrey, gentleman.

June 27 at 10, before Mr. Commissioner LAW.

John Frederick Archbold, Gloucester-place, Portman-sq., Middlesex, barrister-at-law.—*Henry Hull*, Seymour-place, Bryanstone-square, Middlesex, dyer.

June 28 at 11, before Mr. Commissioner PHILLIPS.

John Raine Binks, St. Martin's-le-Grand, London, out of employ.—*Samuel Digby Wright*, Woolwich, Kent, first lieutenant in her Majesty's Royal Regiment of Artillery.—*John George Storie*, clerk, Chapel-street, Belgrave-square, Middlesex.

June 30 at 10, before Mr. Commissioner LAW.

Thomas Andrews Speed, Plymouth, Devonshire, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD,
June 24.

Robert Thomas Coghlan Yates, Oxford, undergraduate of Magdalen Hall.—*Charles Edward Hill*, Witney, shoemaker.

At the County Court of Hertfordshire, at HERTFORD,
June 27.

James Smith, Wadesmill, Thundridge, out of business.

At the County Court of Warwickshire, at COVENTRY,
June 28 at 12.

William Bufford Bennett, Coventry, cattle dealer.—*Edward*

Lay, Birmingham, out of business.—*Samuel Walley* the elder, Birmingham, out of business.—*William Handsley Podmore*, Balsall-leath, Worcestershire, out of business.

At the County Court of Hampshire, at SOUTHAMPTON, July 1.

Phineas Brown Hann, Southampton, dealer in hops.

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The Jurist

No. 754—VOL. XV.

JUNE 21, 1851.

PRICE 1s.

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LONDON, JUNE 21, 1851.

THE question, whether a foreign author is entitled to copyright in this country, has been frequently mooted of late years, and has at length received a satisfactory decision in the Court of Exchequer Chamber. The case (*Boosey v. Jefferys*) will be found reported in our present number; and if we consider the relative force of the arguments used for the plaintiff and the defendant in error, and the reasons upon which the judgment is founded, we think it may be accepted as a final expression of judicial opinion, although it is said to be the intention of the defendant to appeal to the House of Lords.

An exclusive property in literature has been advocated and attacked with much eloquence at different periods, but at the present day its justice and advantages are generally recognised. A greater difference of opinion exists as to the policy of extending this property to foreign authors; but a decided majority of those who have considered the subject desire to encourage foreign literature in this country, and for that purpose would protect the foreigner who selects England as the first place for the publication of his work. This is not by any means a new opinion; it has been held and acted upon for many years, and a large amount of capital has been invested on the faith of its validity. Many of our readers, however, will perhaps be surprised to learn, that so long ago as the reign of Richard III, and therefore shortly after the invention of printing, the importation of foreign books was expressly encouraged by act of Parliament. The stat. 1 Rich. 3, c. 9, prohibits foreigners from following the occupation of handicraftsmen in this realm, but declares that its enactments are not to prevent the bringing in of foreign books, written or printed, or foreigners from selling them here. This is at variance with the dictum of the Court of Exchequer in *Boosey v. Purday*, (4 Exch. 145), to the effect that it was the policy of this country to discourage the importation of foreign literature; and this proposition,

we think, would have been very doubtful, even if it had not been contradicted by the above-cited statute.

We propose briefly to review, in their chronological order, the principal cases upon this subject, which, we think, will clearly shew the bearing and effect of the recent decision of the Court of error.

In the celebrated cases of *Millar v. Taylor* (in 1769) (4 Burr. 2303) and *Donaldson v. Beckett* (Ib.; 2 Bro. P. C. 129) the majority of the judges were of opinion that copyright existed at common law, although they held that it was restricted by the stat. 8 Ann. c. 19. In *Bach v. Longman*, (1777), (Cowp. 623), Bach, a musical composer, who came here from Germany, was held entitled to sue for an infringement of copyright in a work which he had published here. *Clementi v. Walker* (1824) (2 B. & Cr. 861) turned upon the validity of the assignment of a work which had been published in Paris. The present Lord Campbell was counsel for the defendant, and the objection, that a foreigner had not any copyright in a work first published here, was not raised, because, as stated by his Lordship in *Boosey v. Jefferys*, it was not considered tenable. In *Bentley v. Foster*, (1839), (10 Sim. 329), Shadwell, V. C., was of opinion, that works first published here were protected, though they had been written by a foreigner. In *D'Almaine v. Boosey* (1835) (1 Y. & C. 288) it was held, that the English assignee of the copyright of a foreign musical composer was within the protection of the statutes relating to copyright; and it was thought that a foreigner who resided and published in England would be within the like protection. There, Auber, being abroad, assigned to the plaintiffs, according to the law of England, the opera "*Lestocq*," which had been represented in Paris, but not published before its publication here. Lord Abinger considered that a foreigner publishing here can sue for breach of copyright, though he added—"The point, whether the copyright of a foreigner is protected at all in this country, does not arise in the present case, because the plaintiff, D'Almaine, is not a foreigner."



he is the owner of the work, it makes no difference whether he composed it himself or bought it from a foreigner." *Chappell v. Purday* (1845) (4 Y. & C. 485; 14 M. & W. 303) decided that a foreign author residing abroad, who composes and publishes his work abroad, has not at common law or by statute any copyright in this country. Pollock, C.B., in delivering the judgment of the Court, said, "The result of the dicta and the authorities is, that a foreign author, or his assignee, may have the benefit of the statute, if his publication be in England, but otherwise not." This very point was raised and decided in *Cocks v. Purday*, (1848), (5 C. B. 860), where the Court of Common Pleas held, that a foreigner resident abroad might acquire copyright in this country in a work that was first published here by him as author, or as author's assignee, and which has not been made publici juris by a previous publication elsewhere. It was also held that a contemporaneous publication abroad would not defeat such right. This decision was recognised and followed by the Court of Queen's Bench in *Boosey v. Davidson*, (January, 1849), (13 Jur., part 1, p. 678). The next case was that of *Boosey v. Purday*, (June, 1849), (4 Exch. 145), in which the Court of Exchequer held, that a foreign author residing abroad, who composes a work abroad and sends it to this country, where it is first published under his authority, acquires no copyright therein, and that a British subject, to whom such work is assigned by the foreign author, does not gain any such right. The judgment proceeded on the assumption that the question was still an open one, to be decided upon principle; and the Court were of opinion that copyright did not exist at common law; that it was merely the creature of municipal law, which has no extra-territorial force; that the Legislature must be considered, *prima facie*, to have legislated for its own subjects; and that its object clearly was not to encourage the importation of foreign books, and their first publication in England, but to promote the cultivation of the intellect of its own subjects. This decision certainly took the public and the Profession by surprise, directly opposed as it was to the recent cases in the Common Pleas and Queen's Bench, and to the dictum of the Court of Exchequer itself in *Chappell v. Purday* as to the result of the authorities upon the subject. The grounds of the judgment were also felt to be very unsatisfactory. And in *Ollendorff v. Black*, (1850), (14 Jur., part 1, p. 1080), in which Knight Bruce, V.C., granted an injunction to restrain the sale of a work of an alien author which had been first published in this country, his Honor said, "Can any conclusion be imagined more injurious to literature in general than the decision in *Boosey v. Purday*? Surely literature is of no country, and the object of the act of Parliament must have been to promote learning generally. That decision is an unfortunate one for literature in this country, for is it not a benefit that the learned men of other countries should publish their works here? . . . *Cocks v. Purday* appears to me to be consistent with an enlarged view of the subject, and with the true interpretation of the act of Parliament." And of this opinion was the Court of Error in *Boosey v. Jefferys*, overruling the case of *Boosey v. Purday*, and holding, with the Courts of Common Pleas and Queen's Bench,

that an alien author publishing his work here for the first time, or his assignee doing so, is entitled to copyright.

The result is, that if a foreign author publish first abroad, he is not protected; but if he publish first, or contemporaneously, in this country, he is entitled to copyright; and that he can transfer his right to an assignee, so as to invest him with the protection of our copyright law.

DISPOSITION OF A MARRIED WOMAN'S REVERSIONARY INTEREST IN MONEY CHARGED ON LAND.

MR. HAYES, in his commentary on the Act for the Abolition of Fines and Recoveries, says, "Where an interest, either in possession or reversion, and either vested or contingent, in money to arise from real estate directed to be sold, belongs to a married woman, it is conceived that she may release or extinguish such interest by a deed perfected with the ceremonies required by the act, especially as she might have bound it by a fine; (*May v. Roper*, 4 Sim. 360; *Ex parte Ellison*, 2 Y. & C. 528); and consequently that she may, with her husband's concurrence, elect, or join with the other intended parties in electing, to take the property in its unconverted state. It should seem, indeed, that she may even transfer her interest, as being, though pecuniary, connected with land, to a stranger, by a deed so perfected; and that, therefore, the reversionary and contingent interests of married women in money to arise from the sale of real estate may be effectually aliened; (*May v. Roper*); while, as to such interests in pure personalty, the wife's right by survivorship cannot be bound by any form of assurance, or by any judicial proceeding." (1 Introd. to Conv. 209).

We believe that the balance of professional opinion is in favour of this conclusion, taken in all its generality, but some gentlemen of great eminence do not adopt it.

In a case which recently occurred in practice, an estate was vested in trustees in trust to be sold, and the surplus of the money was separately settled in shares, one of the shares being given in trust for A. and his wife successively for life, and then for certain of their children. The trusts were being administered in Chancery, and there was a decree for sale, and the purchase money was to be paid into court. A. had acquired his children's interests, and proposed to raise money by mortgage of the share, his wife being ready to pass her interest by an acknowledged deed, the estate being still unsold. The intending mortgagee was advised by one of our most eminent conveyancers, and also by the ablest equity counsel then in practice, that he could not depend on obtaining the money out of court under such assurance. This doubt (for it was scarcely more) has since been confirmed by Sir J. L. Knight Bruce in the case of *Hobby v. Allen*, (20 L. J., Ch., 199). There estates had been vested in trustees upon trust for A. for life, and after her death to raise the sum of 260*l.*, and pay it to B. on her attaining the age of twenty-one, and, subject to the raising of that and other sums, upon trust for C., his heirs and assigns. The settlement contained a power to sell the estates, and a direction to invest the net purchase money in the purchase of other lands. The trustees sold the estates and received the purchase monies, and under an order of the Court a sum of 500*l.*, part of the purchase monies, was paid into court and invested. A., the tenant for life, B., (who had attained twenty-one, and was married), with her husband, and all the persons interested under the settlement, joined in a deed, by which the fund in court was expressed to be assigned to trustees free from the trust for re-investment, and upon certain

trusts expressed in the deed. The deed was acknowledged by B. The Vice-Chancellor refused to direct a transfer of the fund to the trustees. His Honor said, "The object of this petition is the reversionary interest of a married woman in a sum of money charged on land. I think that the married woman can do no act to affect such an interest during the life of the tenant for life. This does not come new upon me. It is a point upon which my mind has long been made up."

The grounds of this decision are not stated. That the case is literally within the terms of the statute is not disputed. The 77th section enacts, that "it shall be lawful for every married woman, in every case except that of being tenant in tail, (for which provision is already made by this act), by deed to dispose of lands of any tenure, and money subject to be invested in the purchase of lands, and also to dispose of, release, surrender, or extinguish any *estate* which she alone, or she and her husband in her right, may have in lands of any tenure, or in any such money as aforesaid, as fully and effectually as she would do if she were a feme sole." And the interpretation clause declares, that "the word '*estate*' shall extend to an estate in equity as well as at law, and shall also extend to any interest, charge, lien, or incumbrance in, upon, or affecting lands, either at law or in equity; and shall also extend to any interest, charge, lien, or incumbrance in, upon, or affecting money subject to be invested in the purchase of lands." There can be no doubt, therefore, that the case is within the act, unless there is some equitable ground for taking it out of the act; and it seems to have been supposed that there is some positive rule of equity which prohibits a married woman from disposing of her reversionary interests in personal property under any circumstances. We believe that no authority can be found for such a proposition. The fact that a married woman is practically disabled from disposing of her reversionary interests, when they are not connected with land, or money subject to a trust for conversion, is a mere effect of the general doctrine of equity with respect to the performance of trusts, and of the principle that a married woman has no disposing capacity, except so far as it is expressly given to her. The rule with respect to the performance of trusts is, that the trustee, or the Court of Chancery standing in his place, must strictly perform the trusts, and cannot deviate from them in the minutest particular, unless with the consent of the cestui que trust. When the cestui que trust is under the disability of infancy or coverture, such consent cannot be given; and if the trust is to pay a sum of money to a married woman at a future time, the trustee cannot of his own authority, or with the consent of the cestui que trust, (which is a nullity), anticipate the time. That is a complete statement of the rule as to the reversionary interests of married women, and of its origin. If, with reference to the particular subject-matter, the disability has been removed by an express declaration of the author of the trust, or by act of Parliament, the reason of the rule fails, and the rule does not apply. Therefore, if the property is directed to be held in trust for the woman, as if she were unmarried, she may deal with it as if she were unmarried, and may authorise the trustee to anticipate the payment. If the subject-matter of the trust is such as an act of Parliament has declared shall be alienable by a married woman in a certain manner, we are at a loss to understand upon what ground a Court of equity can say that this shall not be done.

The decision in *Hobby v. Allen* appears to us to amount to a deliberate disavowal of the authority of the act of Parliament. The fund in court was unquestionably money "subject to be invested in the purchase of lands;" for the trust was express, and the tenant for life was living. The interest of the married woman was an "interest in," and a "charge upon," that money;

and the act in so many words has said, that it shall be lawful for a married woman, by a deed acknowledged by her, to dispose of such an interest. But, it is said, the act could not have been intended to enable married women to dispose of their reversionary interests in money—land. The answer is, that it has expressly said that they may do so. True, it does not expressly name *reversionary* interests, but it includes them, as well as contingent interests, by the expression "any interest." If reversionary charges on land are not within the act, then a legal reversion in fee simple is not within it. But, it may be urged, the act could not have intended to subvert so important a head of equity. We deny that it has made any substantial alteration. (See *May v. Roper*, 4 Sim. 360, and *Forbes v. Adams*, 9 Sim. 462). But even if fines had never been in existence, the enactment would have been equally insuperable. Except by means of a fine, or a power or a trust for her separate use, a married woman could not dispose of property of any kind, whether in possession or reversion; and to give her a power of disposing of an interest in possession in money subject to be invested in land is as great an innovation as to give her that power in respect of a reversionary interest. Her consent in court to the payment of a fund presently payable is taken, not as an exercise of a disposing power, for she has none, but as a waiver of an equity or option, which the Court, controlling the equitable rights of her husband, itself offers her. The Legislature, leaving a married woman's disability in respect of pure personalty untouched, has thought fit to say, that, as to interests in or savouring of the realty, she shall have a disposing power under certain restrictions. Such an enactment, we conceive, cannot be set aside by a Court of equity.

Court Papers.

EQUITY SITTINGS, AFTER TRINITY TERM, 1851.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

| | | |
|---------------------|---------|------------------------------------------------------------------------------------------------------------------------------|
| Tuesday | June 24 | Motions. |
| Wednesday | 25 | |
| Thursday | 26 | |
| Friday | 27 | |
| Saturday | 28 | Pleas, Demurrers, and the General Cause Book. |
| Monday | 30 | |
| Tuesday | July 1 | |
| Wednesday | 2 | |
| Thursday | 3 | Motions. |
| Friday | 4 | |
| Saturday | 5 | |
| Monday | 7 | |
| Tuesday | 8 | |
| Wednesday | 9 | Pleas, Demurrers, and Further Directions, until all the Further Directions are disposed of, and then the General Cause Book. |
| Thursday | 10 | |
| Friday | 11 | |
| Saturday | 12 | |
| Monday | 14 | |
| Tuesday | 15 | |
| Wednesday | 16 | |
| Thursday | 17 | Motions. |
| Friday | 18 | |
| Saturday | 19 | |
| Monday | 21 | |
| Tuesday | 22 | |
| Wednesday | 23 | Pleas, Demurrers, and Further Directions, until all the Further Directions are disposed of, and then the General Cause Book. |
| Thursday | 24 | |
| Friday | 25 | |
| Saturday | 26 | |
| Monday | 28 | |
| Tuesday | 29 | |
| Wednesday | 30 | |

| | | |
|-----------------|--------|-------------------------------------------------------------------|
| Thursday | 31 | Motions. |
| Friday | Aug. 1 | Petitions in General Paper. |
| Saturday | 2 | |
| Monday | 4 | |
| Tuesday | 5 | Remaining Motions and Petitions, and then the General Cause Book. |
| Wednesday | 6 | |
| Thursday | 7 | |
| Friday | 8 | |

Short Causes, Consent Causes, Unopposed Petitions, and Short Claims, every Saturday at the sitting of the Court.

Notice.—Consent Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

The Court will rise for the Vacation on Friday, the 8th August.

London Gazettes.

TUESDAY, JUNE 17.

BANKRUPTS.

HENRY MILLS, Lynn, Norfolk, glover and haberdasher, dealer and chapman, June 26 at 12, and Aug. 1 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-street, Cheapside, London.—Petition dated June 6.

MICHAEL COMMON, North Shields, Northumberland, draper, June 24 at 11, and Aug. 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow Church-yard, London.—Petition filed June 4.

THOMAS GEORGE PHILLIPPS, Newport, Monmouthshire, grocer, tea dealer, dealer and chapman, June 30 and July 28 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Bevan, Bristol; Lawrence & Co., Old Jewry-chambers, London.—Petition filed June 7.

SAMUEL WILLIAMSON ISHERWOOD, Kingston-upon-Hull, woollendrapery, July 2 and 23 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Wells & Co., Kingston-upon-Hull.—Petition dated June 10.

WILLIAM HENRY EDWARDS, Leeds, Yorkshire, hosier, dealer and chapman, July 1 and 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. J. & H. Richardson & Gaunt, Leeds; Marsden, 59, Friday-street, Cheapside, London.—Petition dated June 5.

THOMAS DIXON, Bradford, Yorkshire, iron merchant, dealer and chapman, July 4 and Aug. 7 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds; Terry & Watson, Bradford.—Petition dated June 5.

MEETINGS.

Charles Driffeld, Beverley, Yorkshire, draper, June 25 at 12, Court of Bankruptcy, London, aud. ac.—**Wm. Watson**, Craven-street, Strand, Middlesex, wine merchant, June 28 at half-past 11, Court of Bankruptcy, London, aud. ac.—**John Horwell**, Lower-marsh, Lambeth, Surrey, cheesemonger, June 28 at 12, Court of Bankruptcy, London, aud. ac.—**Jos. A. Riches**, Halesworth, Suffolk, maltster, June 23 at 1, Court of Bankruptcy, London, aud. ac.—**James Dutterworth**, Manchester, plumber, June 27 at 11, District Court of Bankruptcy, Manchester, aud. ac.—**Richard Watkins and Samuel Watkins**, Manchester, tailors, June 27 at 11, District Court of Bankruptcy, Manchester, aud. ac.—**J. Horsfield**, Wheelock, near Sandbach, Cheshire, coal dealer, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**Thomas Brighouse**, Liverpool, contractor, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**John Ridgway**, Liverpool, merchant, June 27 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**John Chisholm and Wm. Chisholm**, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, July 4 at half-past 1, Court of Bankruptcy, London, div. sep. est. of **John Chisholm**.—**Richard Langwith**, Liddington-place, Oakley-sq., St. Pancras, Middlesex, builder, July 8 at 11, Court of Bankruptcy, London, div.—**William Simpson**, Manchester, starch manufacturer, July 9 at 12, District Court of Bankruptcy, Manchester, div.—**John Snowball**, Gateshead, Durham, builder, July 10 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, first and fin. div.

—**Charles Pritchard**, Hereford, wine merchant, July 8 at 12, District Court of Bankruptcy, Birmingham, fin. div.—**Thomas Taberner**, Birmingham, cornfactor, July 10 at 12, District Court of Bankruptcy, Birmingham, div.—**Wm. H. Ethell**, Birmingham, saddler, July 8 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Robert William Street, Oxford-street., Middlesex, victualler, July 10 at half-past 11, Court of Bankruptcy, London.—**James Reed**, Bermondsey-st., Southwark, Surrey, hop merchant, July 9 at 1, Court of Bankruptcy, London.—**William Cox**, Blomfield-terrace, Harrow-road, Middlesex, stockbroker, July 9 at 1, Court of Bankruptcy, London.—**Wm. Jackson**, Orchard-terrace, Portman-square, Middlesex, painter, July 8 at half-past 12, Court of Bankruptcy, London.—**Wm. Mitcheener Maxfield**, Leeds, Yorkshire, silk mercer, July 8 at 2, Court of Bankruptcy, London.—**Wm. Farrow**, Kingston-upon-Hull, coal merchant, July 9 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—**John Hughes**, Haccoby, Lincolnshire, beast jobber, July 11 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Robert Westmacott, Fulham-road, Chelsea, Middlesex, nurseryman.—**James Bishop**, Upper James-st., Camden-town, Middlesex, laceman.—**Wm. Griffiths Williams**, Carnarvon, linen draper.—**James Orange**, Nottingham, lace manufacturer.—**James Bury** the younger, Sneinton, Nottinghamshire, cotton waste dealer.—**Thomas Cave**, South Kilworth, Leicestershire, innkeeper.

PETITION ANNULLED.

Charles Gazeley, Torriano-villas, Gloucester-road, Kentish-town, Middlesex, builder.

SCOTCH SEQUESTRATIONS.

Wm. Campbell & Co., Glasgow, contractors.—**J. Mather**, Gorbals, Glasgow, cattle dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Hill the younger, Birmingham, confectioner, June 28 at 11, County Court of Warwickshire, at Birmingham.—**Hen. Allen**, Birmingham, hatter's assistant, June 28 at 11, County Court of Warwickshire, at Birmingham.—**James Evans**, Aston-nigh-Birmingham, gun finisher, June 28 at 11, County Court of Warwickshire, at Birmingham.—**Wm. Turner**, Birmingham, carpenter, June 28 at 11, County Court of Warwickshire, at Birmingham.—**James Smallbones**, Birmingham, fishmonger, June 28 at 11, County Court of Warwickshire, at Birmingham.—**John Hopkins**, Birmingham, miller, June 28 at 11, County Court of Warwickshire, at Birmingham.—**Sarah Dennick**, Birmingham, out of business, June 28 at 11, County Court of Warwickshire, at Birmingham.—**Thomas Beale**, Birmingham, carpenter, June 28 at 11, County Court of Warwickshire, at Birmingham.—**James Cross**, Birmingham, out of business, June 28 at 11, County Court of Warwickshire, at Birmingham.—**J. Seaman**, Sheepshed, Leicestershire, glove maker, July 7 at 10, County Court of Leicestershire, at Loughborough.—**Wm. Draper**, Belton, Leicestershire, miller, July 7 at 10, County Court of Leicestershire, at Loughborough.—**Enos Moody**, Stallingborough, Lincolnshire, attorney-at-law, July 2 at 10, County Court of Lincolnshire, at Great Grimsby.—**Isaac Silvers**, Woodside, Dudley, Worcestershire, cowkeeper, June 27 at 12, County Court of Worcestershire, at Dudley.—**Joseph Smith**, Dudley, Worcestershire, butty collier, June 27 at 12, County Court of Worcestershire, at Dudley.—**Wm. Davies**, Dixon's-green, near Dudley, Worcestershire, butty collier, June 27 at 12, County Court of Worcestershire, at Dudley.—**Jos. Davies**, Netherton, near Dudley, Worcestershire, butty collier, June 27 at 12, County Court of Worcestershire, at Dudley.—**William Annear**, Cardiff, Glamorganshire, keeper of a beer-house, July 18 at 10, County Court of Glamorganshire, at Cardiff.—**Samuel Richards**, Oldbury, Worcestershire, coffin furniture maker, June 25 at 2, County Court of Staffordshire, at Oldbury.—**John Beck Thomas**, West-town, Newton St. Cyres, Devonshire, schoolmaster, July 7 at 10, County Court of

Devonshire, at Crediton.—*Joseph Wright*, Waverton, near Chester, lodging-house keeper, July 1 at 10, County Court of Cheshire, at Chester.—*Joseph Davey*, Birdbrook, Essex, cattle dealer, June 28 at 12, County Court of Suffolk, at Haverhill.—*Thomas Harris*, Gloucester, butcher, July 31 at 10, County Court of Gloucestershire, at Gloucester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 1 at 11, before the CHIEF COMMISSIONER.

Wm. Henry W. Cross, Bride-lane, Fleet-street, London, attorney-at-law.—*Colin Mackenzie*, South Molton-street, Hanover-square, Middlesex, secretary to the National Philanthropic Association.—*John Cogan*, Belitha-terrace, Barnsbury-park, Islington, Middlesex, commercial traveller.

July 2 at 11, before the CHIEF COMMISSIONER.

Richard Seward, Wimbourne-street, New North-road, Hoxton, Middlesex, out of business.

July 2 at 10, before Mr. Commissioner LAW.

Thomas Hayward, Skidmore-st., Johnson's-fields, Mile-end, Middlesex, out of business.—*James Dore*, Crozier-street, Stangate, Lambeth, Surrey, dealer in ginger-beer.

Saturday, June 14.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Isidore Bernstein, Strand, Middlesex, tailor, No. 65,238 T.; *John Milnes*, assignee.—*Thomas Garrad*, Hadleigh, Suffolk, tailor, No. 73,381 C.; *Wm. Fraser*, assignee.—*R. Gardner*, Birmingham, grocer, No. 73,422 C.; *John Hollis*, assignee.—*James Bradbury*, Austonley, near Huddersfield, Yorkshire, clothier, No. 73,619 C.; *Joseph Whiteley*, assignee.—*Sarah Ann Fowler*, spinster, Manchester, No. 73,635 C.; *Samuel B. Eveleigh*, assignee.—*David Bryan*, Cottingham, near Hull, Yorkshire, in no business, No. 73,649 C.; *Matthew Hall*, assignee.—*Jeremiah Waddington*, Luddenden Foot, Wharley, near Halifax, Yorkshire, shoemaker, No. 73,749 C.; *Hartley Murgatroyd*, assignee.—*Wm. J. Hutchinson*, York, attorney-at-law, No. 73,201 C.; *John Carter*, assignee.—*J. Crutchley*, Tottenhall, near Wolverhampton, Staffordshire, grocer, No. 72,156 C.; *Edward Dickinson*, new assignee.

Saturday, June 14.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James C. Johns, Alfred-place West, Thurloe-square, Old Brompton, Middlesex, not in any trade: in the Queen's Prison.—*John Fiddes*, Portland-cottage, Camden-town, Middlesex, bill discounter: in the Debtors Prison for London and Middlesex.—*William Withers*, First-st., Marlborough-road, Chelsea, Middlesex, carpenter and broker: in the Debtors Prison for London and Middlesex.—*George Cooper*, Kingston, Surrey, working cutler and general dealer: in the Debtors Prison for London and Middlesex.—*John Neal*, Cannon-street-road and Beach-road, St. George's-in-the-East, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Moss Davis*, Earl-street, New Bridge-street, Blackfriars, London, bonnet manufacturer: in the Debtors Prison for London and Middlesex.—*Joseph James Marquetti*, Gloucester-place, Kentish-town, Middlesex, clerk to the American consul in London: in the Queen's Prison.—*George Freeman*, Great Chapel-street, Broadway, Westminster, Middlesex, farmer: in the Debtors Prison for London and Middlesex.—*Delabere Walker*, Harp-alley, Farringdon-street, London, farmer: in the Debtors Prison for London and Middlesex.—*William John Taylor*, Harlow, Essex, clerk to a draper: in the Debtors Prison for London and Middlesex.—*Thomas Martin*, London-terrace, London-fields, Hackney, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*James Davis*, Unicorn-yard, Blackman-street, Southwark, Surrey, horse dealer: in the Gaol of Surrey.—*Thomas Biddle*, Rye-croft-hill, Rushall, Staffordshire, grocer: in the Gaol of Stafford.—*Henry Walker*, Callingswood, Tatenhill, Stafford-

shire, farmer: in the Gaol of Stafford.—*Frederick Nicholson*, Chesterton, Cambridgeshire, gentleman: in the Gaol of Cambridge.—*Richard Pugh*, Penna-park, Brilley, Herefordshire, farmer: in the Gaol of Hereford.—*Fanny Coombs*, Elvetham, Hampshire, out of business: in the Gaol of Winchester.—*John Fos*, Dewsbury, Yorkshire, blanket manufacturer: in the Gaol of York.—*Thomas Reeves*, Threapwood, Worthenbury, Flintshire, labourer: in the Gaol of Flint.—*Thomas Mallinson*, Great Neston, Cheshire, baker: in the Gaol of Chester.—*William Salmon*, Dudley, Worcestershire, haberdasher: in the Gaol of Worcester.—*Thomas Jones*, Oldbury, near Dudley, Worcestershire, blacksmith: in the Gaol of Worcester.—*James Corrigan*, Liverpool, master of the barque Saxon: in the Gaol of Lancaster.—*James Ekersley*, West Houghton, near Bolton-le-Moors, Lancashire, farmer: in the Gaol of Lancaster.—*Rich. Worthington*, Lancaster, licensed victualler: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 1 at 11, before the CHIEF COMMISSIONER.

Henry Bowdidge, South-mews, South-street, Manchester-square, Middlesex, assistant to a livery-stable keeper.—*William James Mingaye*, Southwark-bridge-road, Surrey, captain in the Royal Navy.

July 2 at 10, before Mr. Commissioner LAW.

Chas. Hyland, Great Guildford-street, Southwark, Surrey, butcher.—*John Thurrell*, Robert-street, Grosvenor-square, Middlesex, upholsterer.—*Frederick John Hazelton*, Salisbury-street, Portman-market, Middlesex, bookseller.

July 3 at 11, before Mr. Commissioner PHILLIPS.

Jean Reybaud, Oakley-street, Lambeth, Surrey, general merchant.—*Christopher John Wilson*, Park-place, Kennington-cross, Surrey, clerk in the Sun Fire-office.—*James Nisbet*, Morpeth-street, Bethnal-green, Middlesex, carpenter.—*John Haines*, Cobourg-place, Horseferry-road, Westminster, Middlesex, clerk in the Privy Council-office, Whitehall.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Carnarvonshire, at CARNARVON, July 25 at 10.

Robert Garton, Carnarvon, out of business.

At the County Court of Cambridgeshire, at CAMBRIDGE, June 30 at 10.

Frederick Nicholson, Chesterton, gentleman.

INSOLVENT DEBTORS' DIVIDENDS.

John Nathan, Windsor-street, Bishopsgate-street, London, cab driver: 8s. in the pound.—*John Bartlett*, Bath, butcher: 20s. in the pound.—*John Foston*, Riccal-house, Nunnington, Helmsley, Yorkshire, farmer: 4s. in the pound.—*Bryan Dunn*, Liverpool, tide waiter in her Majesty's Customs: 1s. 9d. in the pound.—*William Locker*, Bridport, Dorsetshire, earthenware dealer: 2s. 10d. in the pound.—*Robert Thomas Eastick*, Mansion-house-place, Camberwell, Surrey, saddler: 3d. in the pound.—*William James Hughes*, Roseberry-place, Dalston, Middlesex, retired captain in the Royal Navy: 5s. 7d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, JUNE 20.

BANKRUPTS.

JOHN WHITFIELD and **GEORGE JAMES WHITFIELD**, Lamb's Conduit-st., Middlesex, cheesemongers, poulterers, and porkmen, dealers and chapmen, July 4 at 1, and Aug. 1 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Richardson & Sadler, 29, Golden-square.—Petition filed June 14.

JOHN HUNT, Edgeware-road, Middlesex, draper, dealer and chapman, July 3 at half-past 11, and July 31 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hardwick & Co., Weavers'-hall, Basinghall-st.; Ashurst & Son, Old Jewry.—Petition dated June 18.

JOHN BARTLETT, Upper Thames-street, London, wine merchant, June 26 and Aug. 7 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Keightley & Co., 43, Chancery-lane.—Petition filed June 12.

JOHN PESCOD WHITMORE, Hackney, Middlesex, draper, dealer and chapman, June 28 and Aug. 2 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Mardon & Pritchard, Newgate-street, London.—Petition dated June 12.

THOMAS FITCH, Chester-place, Kennington, Surrey, commission agent, dealer and chapman, July 1 at half-past 2, and Aug. 5 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Madox & Wyatt, 30, Clement's-lane, Lombard-street.—Petition filed June 18.

CHARLES COLLINS, Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturer, (carrying on business with George Talbot Rose, under the firm of Collins & Rose), July 3 and 31 at 12, Court of Bankruptcy, London: Off. Ass. Christie; Sols. Brinton, Kidderminster; Reece, Birmingham.—Petition dated June 19.

THOMAS MILLS, Painswick, Gloucestershire, quarry master and builder, dealer and chapman, July 4 and Aug. 4 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. St. Patrick, Worcester; Short & Strickland, Bristol.—Petition filed May 27.

WILLIAM WILSON, Bristol, linendraper, dealer and chapman, July 4 and Aug. 4 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. W. L. & C. Clarke, Bristol.—Petition filed June 17.

MEETINGS.

Wm. Seddon, Eccleston, Lancashire, flour dealer, July 1 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—*W. Robbins*, Birmingham, grocer, July 7 at 10, District Court of Bankruptcy, Birmingham, ch. ass.—*Wm. S. Meryweather*, West Ham, Essex, brickmaker, July 3 at 11, Court of Bankruptcy, London, last ex.—*John Gatrell*, Lymington, Hampshire, upholsterer, July 4 at 1, Court of Bankruptcy, London, aud. ac.; July 11 at half-past 1, div.—*Leonard Wild Lloyd*, Goldhawk-terrace, New-road, Shepherd's-bush, Middlesex, builder, July 4 at 2, Court of Bankruptcy, London, aud. ac.—*John Gentry*, Bocking, Essex, smith, July 9 at 12, Court of Bankruptcy, London, aud. ac.—*Jonas Clark*, Soham, Cambridgeshire, dealer in flour, July 9 at 11, Court of Bankruptcy, London, aud. ac.—*George Wheeler*, Richmond, Surrey, grocer, July 4 at 2, Court of Bankruptcy, London, aud. ac.—*J. Pennycad*, High-st., Woolwich, Kent, grocer, July 3 at 12, Court of Bankruptcy, London, aud. ac.—*M. Rowlandson* and *L. Rowlandson*, Whitechapel-rd., Middlesex, drapers, July 12 at half-past 12, Court of Bankruptcy, London, aud. ac.—*R. Taylor Grundy*, Bury, Lancashire, money scrivener, July 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Thompson*, Newcastle-upon-Tyne, grocer, July 10 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; July 11 at 12, div.—*John Podmore*, Tunstall, Wolsanton, Staffordshire, grocer, July 7 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Samuel Groom*, Whitchurch, Shropshire, auctioneer, July 7 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*James Wilcock*, Nottingham, grocer, July 11 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Wm. Roden*, Evelith, Shifnal, Shropshire, miller, July 7 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*John Clarke*, Stourbridge, Worcestershire, grocer, July 7 at 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Francis Sanders* and *Chas. Sanders*, Derby, corn merchants, July 11 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Joseph Henry Hurley*, Westbromwich, Staffordshire, draper, July 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Joshua Clarke*, Hinckley, Leicestershire, hosier, July 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Taylor*, Birmingham, brush manufacturer, July 10 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Meeson*, Aston, near Stone, Staffordshire, innkeeper, July 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Joseph Mann*, Warwick, grocer, July 10 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Arnold*, Shrewsbury, Shropshire, veterinary surgeon, July 8 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Freeman*, Millbank, Worcestershire, horse dealer, July 2 at 12, District

Court of Bankruptcy, Birmingham, aud. ac.—*William Kirk*, Leicester, builder, July 11 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*George Everard*, Longton, Stoke-upon-Trent, Staffordshire, earthenware manufacturer, July 10 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John Johnson*, Coventry, Warwickshire, wine merchant, July 3 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*John B. Browne*, Newcastle-under-Lyme, Staffordshire, wine merchant, July 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Isaac Dimdale*, Trinity-sq., Tower Hamlets, Middlesex, corn factor, July 12 at half-past 12, Court of Bankruptcy, London, fin. div.—*Charles Bonner*, Spalding, Lincolnshire, scrivener, July 11 at half-past 11, Court of Bankruptcy, London, fin. div.—*Thomas Pulvertoft*, *Charles Bonner*, and *John Calthrop*, Pembrey, Carmarthenshire, ironmasters, July 11 at 11, div. sep. est. of *T. Pulvertoft*; at half-past 12, div. joint est.—*Watkin Williams*, Brecon, draper, July 11 at 11, Court of Bankruptcy, London, fin. div.—*John Gentry*, Bocking, Essex, smith, July 11 at 1, Court of Bankruptcy, London, div.—*Thomas Keating*, St. Paul's Churchyard, London, druggist, July 15 at 12, Court of Bankruptcy, London, div.—*James Atkinson*, Newcastle-upon-Tyne, victualler, July 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*William Edmond* and *Thomas Edmond*, Liverpool, merchants, July 11 at 12, District Court of Bankruptcy, Manchester, div. joint est., and div. sep. est. of *Wm. Edmond*.—*John Render* and *Edward Render*, York, tailors, July 14 at 11, District Court of Bankruptcy, Leeds, fin. div.—*Joseph Armitage*, *James Armitage*, *William Henry Armitage*, and *Charles Armitage*, Marsden, Almondbury, Yorkshire, woollen cloth manufacturers, July 14 at 11, District Court of Bankruptcy, Leeds, fin. div.—*Francis Sanders* and *Charles Sanders*, Derby, corn merchants, July 11 at 10, District Court of Bankruptcy, Nottingham, fin. div.—*Clement Robey*, Shelton, Stoke-upon-Trent, Staffordshire, manufacturer of earthenware, July 12 at 1, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph Graham, Notting-hill-square, Notting-hill, Middlesex, hosier, July 11 at 11, Court of Bankruptcy, London.—*John Gentry*, Bocking, Essex, smith, July 12 at 12, Court of Bankruptcy, London.—*Robert Sheppard*, Norwich, commission agent, July 12 at 1, Court of Bankruptcy, London.—*Jules Samuel Rochat*, St. Martin's-lane, Middlesex, watchmaker, July 15 at 1, Court of Bankruptcy, London.—*Thomas Clifton* and *Richard Esby Rawle*, Bristol, wine merchants, July 16 at 11, District Court of Bankruptcy, Bristol.—*James Smith*, Lincoln, joiner, Nov. 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*James Taylor*, Bradford, Yorkshire, worsted spinner, July 22 at 12, District Court of Bankruptcy, Leeds.—*John Woodhouse*, Ripon, draper, July 15 at 12, District Court of Bankruptcy, Leeds.—*James Atkinson*, Newcastle-upon-Tyne, victualler, July 11 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Joseph Hinchcliffe Stevenson*, Sunderland, Durham, miller, July 11 at 2, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be granted, unless an Appeal be duly entered.

William Couch, John-street, Fitzroy-square, Middlesex, pianoforte maker.—*William Joseph Hawley*, Richard-street, Woolwich, Kent, grocer.—*Henry Medworth*, Wisbech St. Peter, Cambridgeshire, grocer.—*Charles Watt*, Southampton-street, Pentonville, Middlesex, baker.—*Rees Davies*, Tredegar, Monmouthshire, draper.—*Howell Reynolds*, Aberaman, Aberdare, Glamorganshire, innkeeper.—*Samuel Armstrong*, Bolton-le-Moors, Lancashire, china dealer.—*James Holland*, Preston, Lancashire, tallow chandler.—*Thomas Wilson*, Madras, East Indies, and Manchester and Preston, Lancashire, England, merchant.

PETITION ANNULLED.

Catherine Lawes, Chippenham, Wiltshire, innkeeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

David Stephenson, Brynmawr, Llanelly, Brecknockshire,

printer, July 8 at 10, County Court of Brecknockshire, at Crickhowell.—*David Williams*, Dowlais, Glamorganshire, retailer of beer, July 11 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*John Henry Lott*, Great Yarmouth, Norfolk, ship chandler, July 7 at 10, County Court of Norfolk, at Great Yarmouth.—*Thomas Danby Procter*, Middle Rasen, Lincolnshire, agricultural labourer, July 3 at 12, County Court of Lincolnshire, at Market Rasen.—*Robert Frederick Witcomb*, Hereford, butcher, July 17 at 10, County Court of Herefordshire, at Hereford.—*Richard Whitehouse*, Hereford, boatman, July 17 at 10, County Court of Herefordshire, at Hereford.—*Francis James Wyer*, Hereford, out of business, July 17 at 10, County Court of Herefordshire, at Hereford.—*Joshua Hewson*, Hereford, hairdresser, July 17 at 10, County Court of Herefordshire, at Hereford.—*Thos. Wynn, Shirley*, Millbrook, Southampton, licensed victualler, July 1 at 10, County Court of Hampshire, at Southampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 4 at 11, before the CHIEF COMMISSIONER.

Wm. Walker, Milestone-alley, Church-st., Lower Edmon-ton, Middlesex, out of business.—*Henry Bailes*, Tottenham-st., Fitzroy-square, Middlesex, cabinet maker.

July 5 at 11, before Mr. Commissioner PHILLIPS.

Wm. Dudley, Wellington-st., Kingsland-road, Middlesex, cattle jobber.—*Edward Miller*, Earl-st., Kensington, Middlesex, gentleman's servant.—*Denys Walton*, Herbert-st., New North-road, Middlesex, shopman.—*George Horatio Jackson*, Clayton-place, Kennington-road, Surrey, clerk to the manufacturers of patent metallic lava.

July 7 at 10, before Mr. Commissioner LAW.

Wm. Sage, High-street, Old Brentford, Middlesex, tallow chandler.—*Wm. White*, Beaumont-square, Mile-end, Middlesex, assistant chemist.—*Chas. Albany Wade*, Orchard-place, Trafalgar-road, Greenwich, Kent, druggist.—*Geo. Simpson*, Lower Thames-st., London, manager of an Alton ale shop.

July 7 at 11, before Mr. Commissioner PHILLIPS.

David Caldow Simpson, George-terrace, Commercial-road, Middlesex, blind maker.—*Jeremiah Roberts*, Manchester-terrace, Kilburn, Middlesex, bread dealer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 4 at 11, before the CHIEF COMMISSIONER.

Samuel Horton, Clephane-road, Ball's-pond, Islington, Middlesex, builder.

July 5 at 11, before Mr. Commissioner PHILLIPS.

Mary May, widow, Brighton, Sussex, house agent.—*Geo. Johnson*, Bayham-st. South, St. Pancras, Middlesex, journey-man to a cowkeeper.

July 4 at 11, before the CHIEF COMMISSIONER.

Adjourned.

Joseph Trigwell, King Edward-st., Westminster-road, Lambeth, Surrey, builder.

July 7 at 11, before the CHIEF COMMISSIONER.

Adjourned.

Joseph Fox, Victoria-grove, Victoria-park, near Hackney, Middlesex, foreman to a sawyer.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

James Barnes, Manchester, painter, No. 73,736; *James Hardey*, assignee.—*John Forshaw*, Bolton-le-Moors, beer-seller, No. 73,785; *Lawrence Spencer*, assignee.—*W. Alker*, Pemberton, near Wigan, husbandman, No. 73,774; *Richard Walmsley*, assignee.—*Lawrence Bradley*, Scholes, Wigan, shoemaker, No. 73,448; *Wm. Atherton*, Ainsworth, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 4 at 11.

Ralph Robinson, Salford, rent collector.—*Jas. Eckersley*, Monk's Farm, West Houghton, near Bolton-le-Moors, farmer.—*Richard Worthington*, Lancaster, out of business.—*James Bennett*, Salford, out of business.—*John Porter*, Liverpool, out of business.—*John Jackson*, Chorlton-upon-Medlock, Manchester, beer-seller.—*J. Osbaldeston Hayes*, Salford, out of business.—*Richard Higham*, Salford, rope manufacturer.—*Thos. Harrison*, Bolton-le-Moors, butcher.

At the County Court of Cheshire, at CHESTER CASTLE, July 5 at 10.

Robert Dean, Kelsall, near Tarvin, farmer.—*Thos. Arscott*, Chester, joiner.—*George Pollard*, Macclesfield, attorney-at-law.—*Joseph Thyer* the elder, Altrincham, painter.—*James Fitzgerald*, Congleton, innkeeper's assistant.—*Thos. Mallinson*, Great Neston, tea dealer.

At the County Court of Herefordshire, at HEREFORD, July 17.

Richard Pugh, Lyonsall, farmer.

INSOLVENT DEBTOR'S DIVIDEND.

Wm. Berrill, Grandborough, Buckinghamshire, carpenter, Parrott's, Stoney Stratford: 7s. 10d. in the pound, (making with former divs. 16s. 9d. in the pound).

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The Jurist

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LONDON, JUNE 28, 1851.

As questions affecting the liability of persons as contributories under the Winding-up Acts are every day arising, and from the conflict, or apparent conflict, of decision on many points, are at this time of particular interest, we may perhaps be doing service to some of our readers, if, following in the path of the learned writer whose remarks are to be found in *THE JURIST* for the 3rd May, (ante, p. 150), we endeavour to shew that the principle of *Upfill's case* (2 H. L. C. 674) is quite intelligible and sound. We use the word "sound" in the sense of "consistent with reason." The decision is, of course, as the decision of the House of Lords, sound law; but it is very material, for the purpose of its usefulness, that it should be understood, and be understood to be sound legal sense, as well as actual law; because every one practising in courts of justice knows that there is a vast difference between that lip-devotion to authority, under which a judge may confess respect for a decision, and at the same time paralyse it by distinguishing it from every case that comes before him, and the real obedience to its authority which induces him to treat it as governing cases which substantially fall within its principle.

Now, in *Upfill's case*, no doubt some portion of the judgment is, if we may venture respectfully to use such language, unfortunately expressed; for when the House says that it proceeds upon the two facts taken together, that "one of them is found at law not to be sufficient without the second, and it is a question whether the second is sufficient without the first;" and that "the decision of the House goes upon both points concurring—namely, the fact of the party being by his own choice a provisional committeeman plus his acceptance of shares"—when, we say, we find the House of Lords thus expressing itself, it does, on the face of it, look a little like saying, that two nonentities make an entity. But a more careful study of all that was said by the

House leads to a very different conclusion. The House of Lords, in *Upfill's case*, proceeds entirely on the admission of the principle, that there must be a legal liability in the party to constitute him a contributory; and the House looks at the facts—provisional committeeman or not—acceptance of shares or not—as evidence whether there was that degree of intention to give authority which will raise an implied authority, and consequently impose an implied liability.

Now, looking at *Norris v. Cottle*, (2 H. L. C. 647), and the cases at law there referred to, the ground for holding that the mere fact of being a provisional committeeman does not impose a legal liability, is this—that a person is not considered, by merely consenting to be a provisional committeeman, to give an implied authority to his co-committeemen to make contracts for him. So the House of Lords doubts, at the least, whether the mere fact of accepting shares has the effect of giving an implied authority; and these acts are looked at as evidence, not as in themselves imposing or not imposing liability.

If it had been said by the House of Lords, that the mere fact of being a provisional committeeman had no effect at all, and accepting shares had no effect at all, but that the two acts together had the specific effect of rendering the party liable, there might have been grounds for saying the doctrine was unintelligible. But the House of Lords says no such thing. It holds that the giving of authority by implication, which is a question of intention, is not sufficiently apparent, by the one act of being a provisional committeeman, to be inferred; but that it is sufficiently apparent to be inferred, if the further act of accepting shares be done. What is there unreasonable or unintelligible in this? Look at the real working effects of the two situations. A man, by becoming a provisional committeeman, acquires, or has the means of acquiring, knowledge that a concern is going to be formed, and to carry on some trading business; but if he does no further specific

act to bind himself, or to give authority to his co-committeemen to bind him, so far from his act affording any evidence of intention to give them authority, his abstaining from acting rather affords evidence of intention not to give it.

So, if a man merely accepts shares, not being a provisional committeeman, and not having impliedly any other knowledge of the intended proceedings of the company than that which is conveyed to the public generally by its prospectus, and not meddling with its proceedings; practically, and as a man of business, he cannot be supposed to intend to authorise the provisional committee to pledge his individual credit. But if we find a man placing himself in a position to manage or be entitled to participate in the management of a concern, and knowing, or having the means of knowing, all that the managers contemplate doing; and adding to that act the taking of shares—that is, contracting to supply capital to some though to a limited extent—reasonably and commercially speaking, it would be understood by men of business that he did intend to link himself to the management, and did intend to authorise his co-committeemen to pledge his credit.

The principle, then, of *Upfill's case*, if we may venture on this sort of attempt at explanation of it, seems to be this—the mere being a committeeman is the interference of a stranger in the conduct of the concern, from which no authority can be implied; the mere acceptance of shares is no interference, and therefore from it nothing can be implied. But the acceptance of the office of provisional committeeman by a shareholder, so far as in the early stages of a company there can be shares and shareholders, is the interference of a party interested, and therefore does warrant the inference of an intention on his part to give authority. We should have thought it almost impertinent to argue for the intelligibility of a decision of the House of Lords, were it not that even from the Bench expressions of opinion have fallen intimating that the principle of the decision is not to be easily understood. But for that, we should have thought that the observations of Lord Brougham, in page 691 of the report of *Upfill's case*, would have sufficiently explained the principle on which the House grounded its decision.

SCARCELY a week passes now without some attack by the daily press upon the Court of Chancery, and all that belongs to it. Some of these attacks are just, and some unjust; but whether just or not, they are evidence of a strong feeling of public uneasiness as to the state of the Court of Chancery. The most reasonable complaint made is that of the perpetual series of petty alterations to which the practice of the Court has been subjected, each being, no doubt, intended to improve it, but each bringing with it so much of doubt, so much ground for subtle refinements in argumentation, that it may be questionable whether it had not been better to have left things as they were twenty-five years ago, than to attempt such piecemeal reform. Unfortunately there seems little likelihood of anything but piecemeal reform—at least, there will be little else whilst the existing mode of collecting information and

projecting reforms is persevered in. The machinery by which a reform in the law (as well as many other things) is sought to be obtained is simple enough. It consists of a commission composed of gentlemen, who are to inquire, and report to the Crown, or to the House of Commons, what they would suggest. We have said the machinery is simple, and it might work well if its parts were properly selected—if it were supplied with proper motive force, and subjected to the guidance of a proper director. But unfortunately it never does possess any one of these attributes: its members are always selected on a false principle; they are never stimulated to exertion by any of those human inducements that are found requisite and used in every other branch of the public service; and they are always so numerous and so constituted that no one is responsible.

Let us consider for a moment how a commission is usually formed. In the first place, it is composed, as to the majority of its members, of eminent men—that is, of men who are so run after by clients—so loaded with private business, that they can scarcely snatch time for needful food and rest. A very very little amusement, and a very very little public business, added to their other avocations, will effectually fill every instant of their time. Added to such men, are generally one or two of less paramount distinction, and a secretary, who is generally a young man of moderate experience; and upon the talent and industry of this last member of the commission does, in almost every instance, its success depend, because he is the only working man of the whole commission. We do not say this, it will be understood, in the slightest spirit of depreciation of any particular commission, or of the distinguished men who are members of it; but, constituted as commissions are, it is impossible that it should be otherwise. The attendance of a counsel upon the interests of his clients is his paramount duty; he *must* attend to them before everything; and if his reputation is great, and his clients numerous, it is as idle to suppose that he *can* or will bestow more than snatches of time upon a commission to reform the law, as that he can attend horse-races, or Great Exhibitions, or any other source of occupation or amusement.

If a well-considered reform of so vast and complicated a system as that of the Court of Chancery could be struck off by a few brilliant suggestions, made at a few meetings, for an hour or two, of the members of a commission, a commission, as usually formed, would be competent no doubt to the work. But such a work is not to be done in that way; it must be the result of a patient, long continued attention and consideration, by a mind, or a few minds, of course of a superior class—of course possessing much knowledge and some experience of law, (aided, perhaps, by others possessing political and general knowledge, and untainted by law), but possessing, above all things, adequate time for a labour neither light nor of short duration. And to this must be added, that as the work, if expected to be done well, must be done under some of those stimuli which are found necessary to encourage nearly all human works, the men to whom is entrusted a reform of the law should be treated as temporary public servants—should be remunerated for their labour, not as a matter of favour or donative by the State, but exactly on the

same principle on which the State retains the services of military or naval officers, of judges, or of permanent commissioners for public purposes, &c. Commissioners for the reform of the law should not be expected to work for love of the public; nor for that worst of all inducements, the prospect of party favour; nor even for reputation alone: they should be carefully selected from a class of men who can undertake to give, not an undivided attention, for that is impossible, but a steady, regular, and extensive attention to their duties. They should be paid, and well paid, (we use the simple word as the best); and they should be expected, not merely to have their work done by a secretary, and to put a hastily-considered fiat upon his irresponsible labour, but to do the work themselves, and be themselves responsible for it to the public. When a commission is thus framed, and not till then, may any reform of the law be expected so well considered as to justify the least hope of its being final.

Let us think for one moment what there is to be considered, for instance, by a Chancery Reform Commission. Assume that the great question, whether equity and common law should be kept distinct, or whether, not abolishing the doctrines of either, they should be administered by all of the Queen's superior courts, is passed by; and that the only thing to be done is thoroughly to reform the procedure and practice of the Court of Chancery;—there is first to devise a uniform system of pleading, simplified to the lowest practicable point, and yet adapted to the multifarious exigencies of equitable business; that is, all the modes of proceeding,—by bill and answer; by claim; by petition; by special case,—have to be reviewed, considered, and condemned, or amalgamated, or subjected to new combinations. There is to be considered the difficult ques-

tion of how evidence should be taken. There are myriads of existing Orders, every one of which must be considered with a view to see which of them should belong to the new order of things. There is the difficult question, whether there should be such things left at all as Masters' offices, for the purpose of deciding collateral matters in a cause, or whether causes should be classified, and causes of a certain kind tried and disposed of completely by the superior judges, and causes of a certain kind tried and completely disposed of by the Masters; and there is the troublesome, if not difficult, question how accounts should be taken in Chancery. These are merely a few heads of subjects requiring patient consideration, and the framing of a code of procedure and practice, which, not neglecting the results of *practice*, must yet be founded on a severe attention to the *principles* of equity, if it is to be expected to work for the public benefit.

Now, we say, that if the State expects that labour of such extent and difficulty, requiring long, calm, and as much as possible unbroken attention, can be satisfactorily got through by unpaid commissioners, consisting of judges who have enough to do, of great leaders who have more than enough to do, and of, at the most, one or two juniors with any leisure, and a secretary without responsibility as well as without reward, why then the State fully deserves to have that repeated which has so often occurred before, viz. the production of a batch of suggestions, founded on no principles; embarrassing to the judges and the practitioners of the court; of scarcely the minutest value to the suitor; and calculated to retard the settlement of the substantial disputes of litigants, by multiplying their preliminary disputes as to how they are ultimately to conduct their case.

CIRCUITS OF THE JUDGES.

(Mr. Justice PATTESON will remain in Town).

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| Saturd., July 12 | | | Aylesbury | | | Cardiff | | York & City |
| Monday 14 | Devises | | | | | | Abingdon | |
| Tuesday 15 | | | Bedford | | | | | |
| Wednesday.. 16 | ..... | Hertford | ..... | Oakham and Northampt. } | ..... | ..... | Oxford | ..... |
| Thursday ... 17 | Winchester | ..... | Huntingdon | ..... | ..... | ..... | ..... | ..... |
| Saturday 19 | ..... | ..... | Cambridge | Lincoln & [City] | Newtown | Carmarthen | Worcester & [City] | ..... |
| Monday 21 | ..... | Chelmsford | ..... | Nottingham | ..... | ..... | ..... | ..... |
| Wednesday.. 23 | Dorchester | ..... | Norwich and [City] | [& Town] | Dolgelly | Haverford- | Stafford | ..... |
| Thursday 24 | ..... | ..... | ..... | Derby | ..... | ..... | ..... | ..... |
| Friday..... 25 | ..... | ..... | ..... | ..... | Carnarvon | [west & Tn.] | ..... | Durham |
| Saturday ... 26 | Exeter & City | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Monday 28 | ..... | Maidstone | ..... | ..... | ..... | ..... | ..... | ..... |
| Tuesday 29 | ..... | ..... | ..... | Leicest. & B. | ..... | ..... | ..... | ..... |
| Wednesday.. 30 | ..... | ..... | Ipswich | ..... | Beaumaris | Cardigan | ..... | ..... |
| Thursday ... 31 | ..... | ..... | ..... | ..... | ..... | ..... | Shrewsbury | Newcastle & [Town] |
| Friday .. Aug. 1 | ..... | ..... | ..... | Coventry | ..... | ..... | ..... | ..... |
| Saturday.... 2 | Bodmin | ..... | ..... | Warwick | Ruthin | Brecon | Hereford | ..... |
| Monday 4 | ..... | Lewes | ..... | ..... | ..... | ..... | ..... | Carlisle |
| Wednesday.. 6 | ..... | ..... | ..... | ..... | Mold | ..... | Monmouth | ..... |
| Thursday ... 7 | Bridgewater | Croydon | ..... | ..... | ..... | Presteign | ..... | Appleby |
| Saturday 9 | ..... | ..... | ..... | ..... | Chester & [City] | Chester & [City] | Gloucester & [City] | Lancaster |
| Wednesday.. 13 | Bristol | ..... | ..... | ..... | ..... | ..... | ..... | Liverpool |

Court Papers.

EQUITY SITTINGS, AFTER TRINITY TERM.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | |
|----------------------|----------------------------------------------------------------------------|
| Tuesday June 24 | First Seal.—Appeal Motions. |
| Wednesday 25 | } Appeals. |
| Thursday 26 | |
| Friday 27 | (Petition-day).—Lunatic and Cause Petitions (unopposed first). |
| Saturday 28 | } Appeals. |
| Monday 30 | |
| Tuesday July 1 | |
| Wednesday 2 | |
| Thursday 3 | Second Seal.—Appeal Motions. |
| Friday 4 | (Petition-day).—Unopposed Lunatic Petitions and Cause Petitions. |
| Saturday 5 | } Appeals. |
| Monday 7 | |
| Tuesday 8 | |
| Wednesday 9 | |
| Thursday 10 | } (Petition-day).—Unopposed Lunatic Petitions and Cause Petitions. |
| Friday 11 | |
| Saturday 12 | } Appeals. |
| Monday 14 | |
| Tuesday 15 | |
| Wednesday 16 | |
| Thursday 17 | Third Seal.—Appeal Motions. |
| Friday 18 | (Petition-day).—Unopposed Lunatic Petitions and Cause Petitions. |
| Saturday 19 | } Appeals. |
| Monday 21 | |
| Tuesday 22 | |
| Wednesday 23 | |
| Thursday 24 | } (Petition-day).—Lunatic Petitions and Cause Petitions (unopposed first). |
| Friday 25 | |
| Saturday 26 | } Appeals. |
| Monday 28 | |
| Tuesday 29 | |
| Wednesday 30 | |
| Thursday 31 | Fourth Seal.—Appeal Motions. |
| Friday Aug. 1 | (Petition-day). |

N. B.—The days his Lordship attends the House of Lords on Appeals excepted.

Notice.—The Court will rise for the Vacation on Friday, the 8th August.

Vice-Chancellors' Courts.

Before VICE-CHANCELLOR KNIGHT BRUCE, at Lincoln's Inn.

| | |
|----------------------|-------------------------------------------------------------|
| Tuesday June 24 | First Seal.—Motions and Claims. |
| Wednesday 25 | } Short Causes, Short Claims, and Bankrupt Petitions. |
| Thursday 26 | |
| Friday 27 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday 28 | Petitions and Claims. |
| Monday 30 | } Causes and Claims. |
| Tuesday July 1 | |
| Wednesday 2 | Short Causes, Short Claims, Bankrupt Petitions, and Claims. |
| Thursday 3 | Second Seal.—Motions and Causes. |
| Friday 4 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday 5 | Petitions and Causes. |
| Monday 7 | } Causes and Claims. |
| Tuesday 8 | |
| Wednesday 9 | Short Causes, Short Claims, Bankrupt Petitions, and Claims. |
| Thursday 10 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Friday 11 | Petitions and Causes. |
| Saturday 12 | } Causes and Claims. |
| Monday 14 | |
| Tuesday 15 | Short Causes, Short Claims, Bankrupt Petitions, and Claims. |

| | |
|---------------------|-------------------------------------------------------------|
| Thursday 17 | Third Seal.—Motions and Causes. |
| Friday 18 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Saturday 19 | Petitions and Causes. |
| Monday 21 | } Causes and Claims. |
| Tuesday 22 | |
| Wednesday 23 | Short Causes, Short Claims, Bankrupt Petitions, and Causes. |
| Thursday 24 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Friday 25 | Petitions and Causes. |
| Saturday 26 | } Causes and Claims. |
| Monday 28 | |
| Tuesday 29 | Short Causes, Short Claims, Bankrupt Petitions, and Causes. |
| Wednesday 30 | Fourth Seal.—Motions. |
| Thursday 31 | Petitions and Claims. |
| Friday Aug. 1 | Bankrupt Petitions and Claims. |
| Saturday 2 | } Causes. |
| Monday 4 | |
| Tuesday 5 | Short Causes, Short Claims, & Causes. |
| Wednesday 6 | } Further Directions and Exceptions. |
| Thursday 7 | |
| Friday 8 | |

N. B.—Unopposed Petitions, not exceeding ten, to be in the paper every day.

Notice.—The Court will rise for the Vacation on Friday, the 8th August.

Before VICE-CHANCELLOR Lord CRANWORTH, at Lincoln's Inn.

| | |
|----------------------|-------------------------------------------------------|
| Tuesday June 24 | First Seal.—Motions. |
| Wednesday 25 | } Causes and Claims. |
| Thursday 26 | |
| Friday 27 | (Petition-day).—Cause Petitions. |
| Saturday 28 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday 30 | Causes and Claims. |
| Tuesday July 1 | Short Causes, Short Claims, and Ditto. |
| Wednesday 2 | Causes and Claims. |
| Thursday 3 | Second Seal.—Motions. |
| Friday 4 | (Petition-day).—Cause Petitions. |
| Saturday 5 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday 7 | Causes and Claims. |
| Tuesday 8 | Short Causes, Short Claims, and Ditto. |
| Wednesday 9 | } Causes and Claims. |
| Thursday 10 | |
| Friday 11 | (Petition-day).—Cause Petitions. |
| Saturday 12 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday 14 | Causes and Claims. |
| Tuesday 15 | Short Causes, Short Claims, and Ditto. |
| Wednesday 16 | Causes and Claims. |
| Thursday 17 | Third Seal.—Motions. |
| Friday 18 | (Petition-day).—Cause Petitions. |
| Saturday 19 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday 21 | Causes and Claims. |
| Tuesday 22 | Short Causes, Short Claims, and Ditto. |
| Wednesday 23 | } Causes and Claims. |
| Thursday 24 | |
| Friday 25 | (Petition-day).—Cause Petitions. |
| Saturday 26 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Monday 28 | Causes and Claims. |
| Tuesday 29 | Short Causes, Short Claims, and Ditto. |
| Wednesday 30 | Causes and Claims. |
| Thursday 31 | Fourth Seal.—Motions. |
| Friday Aug. 1 | Petitions. |
| Saturday 2 | Remaining Petitions, Motions, and Causes. |
| Monday 4 | } Short Causes, Short Claims, and Ditto. |
| Tuesday 5 | |
| Wednesday 6 | Pleas, Demurrers, Exceptions, and Further Directions. |
| Thursday 7 | } Further Directions. |
| Friday 8 | |

N. B.—Unopposed Petitions, not exceeding ten, every day, except Seal Days.

Notice.—The Court will rise for the Vacation on Friday, the 8th August.

Before VICE-CHANCELLOR TURNER, at Lincoln's Inn.

| | | |
|---------------------|---------|----------------------------------------------------------------------|
| Tuesday | June 24 | First Seal.—Motions, Causes, and Claims. |
| Wednesday | 25 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Thursday | 26 | |
| Friday | 27 | |
| Saturday | 28 | |
| Monday | 30 | |
| Tuesday | July 1 | Second Seal.—Motions and Ditto. |
| Wednesday | 2 | |
| Thursday | 3 | |
| Friday | 4 | |
| Saturday | 5 | |
| Monday | 7 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Tuesday | 8 | |
| Wednesday | 9 | |
| Thursday | 10 | |
| Friday | 11 | |
| Saturday | 12 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Monday | 14 | |
| Tuesday | 15 | |
| Wednesday | 16 | |
| Thursday | 17 | |
| Friday | 18 | Third Seal.—Motions and Ditto. |
| Saturday | 19 | |
| Monday | 21 | |
| Tuesday | 22 | |
| Wednesday | 23 | |
| Thursday | 24 | Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Friday | 25 | |
| Saturday | 26 | |
| Monday | 28 | |
| Tuesday | 29 | |
| Wednesday | 30 | Fourth Seal.—Motions and Ditto. |
| Thursday | 31 | |
| Friday | Aug. 1 | |
| Saturday | 2 | |
| Monday | 4 | |
| Tuesday | 5 | Remaining Petitions, Pleas, Demurrers, Exceptions, Causes, & Claims. |
| Wednesday | 6 | |
| Thursday | 7 | |
| Friday | 8 | |

N.B.—Every Friday (after Unopposed Petitions, Short Causes, and Short Claims) twenty-five Claims.

Notice.—The Court will rise for the Vacation on Friday, the 8th August.

EQUITY CAUSE LISTS, AFTER TRINITY TERM, 1851.

*. The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

APPEALS.

| | |
|--------------------------------------|---------------------------------------------|
| Robinson v. Geldart (Ap, part heard) | Hawkes v. Eastern Counties Railway Co. (Ap) |
| Salmon v. Dean (Ap) | Reynell v. Sprye (Ap) |
| Vivian v. Cochrane (Ap) | Vaughan v. Vanderstegen } (A) |
| Sturge v. Sturge (Ap) | Gates v. Lord Dunboyne } (A) |
| Pelly v. Watken (Ap) | Price v. Griffith (Ap) |
| Rhodes v. Matson (Ap) | Coope v. Carter (Ap) |
| Smith v. Smith (Ap) | Bayden v. Watson } (Ap) |
| Kekewick v. Manning (Ap) | Lardner v. Paine } (Ap) |
| Att.-Gen. v. Murdock (Ap) | Hamilton v. Bankin (Ap) |
| Deeks v. Bell (Ap) | Saunders v. Hamilton (Ap) |
| Toft v. Stephenson } (Ap) | Swift v. Grazebrook (Ap) |
| Graham v. Reeves } (Ap) | Robinson v. Robinson (Ap) |
| Smale v. Graves (Ap) | Gaston v. Frankum (Ap) |

| | |
|-----------------------------------------|-------------------------------------------------------|
| Bell v. Rea } (Ap) | Powell v. Dodson (Ap) |
| Rea v. Bell } (Ap) | Evans v. Evans (Ap) |
| Ward v. Martin (2 Aps) | Barnett v. Sheffield (2 Aps) |
| Weaver v. Grant (2 Aps, Ptn) | Fairthorne v. Davis (Ap) |
| Haigh v. Gray (Ap) | Follett v. Jeffereyes (Ap) |
| Duke of Leeds v. Earl Amherst (Ap) | Bryan v. Mansion (Ap) |
| Thornes v. Harper (Ap) | Waters v. Mynn (Ap) |
| Watts v. Symes } (Ap) | Langdale v. Gill (Ap) |
| Same v. Hernaman } (Ap) | Jones v. Parry (Ap) |
| Seagrave v. Pope (Ap) | Spooner v. Vayne (Ap) |
| Jones v. Lewis } (Ap) | Kynaston v. Lancashire and Yorkshire Railway Co. (Ap) |
| Same v. Owen } (Ap) | Same v. Same (Ap) |
| Mayor, &c. of Berwick v. Murray (2 Aps) | Hervy v. Hewitt (Rehear.) } |
| Percival v. Caney (Ap) | Same v. Oliphant (F D) } |
| Newman v. Hutton (Ap, M) | Chappel v. Rees (Ap) |
| Ogle v. Morgan (Ap) | M'Intosh v. Great Western Railway Co. |
| Allen v. Wilson (Ap) | North Staffordshire Railway Co. v. Wheldon (Ap) |
| Miller v. Priddy (Ap) | Stainton v. Chadwick (Ap) |
| Sharp v. Taylor (Ap) | Kingsford v. Ball (Ap) |
| Letts v. Corn Exchange Co. (Ap) | Robinson v. Robinson (Ap) |
| Blenkinsopp v. Blenkinsopp (Ap) | Hawkes v. Eastern Counties Railway Co. (Ap) |
| Wellesley v. Wellesley (Ap) | Hele v. Lord Bexley (Ap). |

Before Vice-Chancellor KNIGHT BRUCE, at Lincoln's Inn.

| | |
|-------------------------------------------------------|-------------------------------------|
| M'Intosh v. Great Western Railway Co. (E) | Baker v. Read |
| Same v. Same (E) | Lashmar v. Green |
| Sladden v. De Lasaux (Pl) | Paschour v. Chapman (F D, C) |
| Forbes v. Simond (D) | Thomas v. Cooper |
| White v. Barker (E) | Nicholls v. Hoblyn |
| Napper v. Dendy | Hughes v. Hughes (F D, C) |
| Hextall v. Cheate | Riches v. Stanbrough |
| Hextall v. Cheate | Bashett v. Cafe (2 causes) |
| Farquhar v. Addington | Baynham v. Jones (Cl) S O |
| Bowyer v. Phillips (Cl) | Harding v. Harding (Sp. Ca.) |
| Moginie v. Stuart | Ellis v. Luke (Cl) S O |
| Great Western Railway Co. v. Bowyer S O | Edwards v. Brown |
| Ridler v. Yearaley | Slater v. Oldknow (E) |
| Singleton v. Bulmer | Oldknow v. Slater (F D) } |
| Lewin v. Kellett | Levason v. Howard |
| Oldnall v. Smith (2 causes) | Wollacott v. Johnson |
| Sweeting v. Allnutt } | Cant v. Hodges (F D, C) |
| Rust v. Allnutt } | Dobson v. Land (E, F D) |
| Fenner v. Boag | Steele v. Steele (F D, C) |
| Close v. Close | Eldridge v. Low |
| Peak (pauper) v. Peak | Monypenny v. Dering (E, F D) |
| Doyle v. Collins | Wake v. Wake (Cl) S O |
| Potts v. Thames Haven Dock and Railway Co. (Cl) M. T. | Strong v. Strong |
| Garden v. Ingram (Cl) | Wakeman v. Hadley (Cl) June 26 |
| Terry v. Nettleton (2 Cls) } | Steel v. Maunder (F D) } |
| Nettleton v. Nettleton (Ca.) } | Stroud v. Plummer (Cause) } |
| Heaps v. Leadman | Dyke v. Rendall (F D) |
| Grover v. Burningham (F D) S O | Gann v. Gregory |
| Blane v. Bell (F D) S O | Cornwell v. Northam |
| Oliver v. Oliver (F D) | Gill v. Horton (Cl) |
| Townsend v. Martin (E) } | Lee v. Brown (E) |
| Same v. Same (F D) } | Slight v. Empson |
| Walters v. Olding (F D) | Ayscough v. Ayscough (F D, C) |
| Williams v. Hilditch (F D) | Hoskins v. Thoms (Cl) |
| Hobhouse v. Holcombe (E) } | Johnson v. Johnson |
| Same v. Same (E, F D) } | Hulbert v. Hulbert (F D, C) |
| Peake v. Ledger (F D, C) | Thomas v. Phillips (F D, C) |
| Davis v. Wilford (F D, C) | Derbshire v. Horne (2 caus.) |
| Garnett v. Shoesmith (Cl) S O | Att.-Gen. v. Shaw (F D, C) |
| Watkins v. Lane (Cl) | Robins v. Snell (2 causes) |
| Nichols v. Morgan (F D, C) | Morris v. Morris |
| Nowlan v. Walsh (F D, C) } | Corbett v. Jaundrell |
| Nowlan v. Wilde } | Sykes v. Cotton (2 causes) |
| Housan v. Ellis (Cl) S O | Lodge v. Pritchard |
| O'Brien v. Osborn | Hubbard v. Child (F D, C) |
| Field v. Shepherd | Thomas v. Rice, alias Williams (Cl) |
| Flewitt v. Lucas | Cornthwaite v. Frith |
| Schofield v. Cahuac | Jeffreys v. Williams |

Lyne v. Calvert (3 causes)
 Middleton v. Russell (Cl)
 Ansdell v. Ockleston (Cl)
 Raby v. Ridchalg (F D, C)
 Roberts v. De Freville (Cl) & O
 Hartlands v. Dancocks
 Riccard v. Sheppard (Cl)
 Trim v. Hubbard
 Monypenny v. Monypenny (Cl)
 Robinson v. Woodward
 Emmott v. Emmott (2 causes)
 King v. Savery (2 causes)
 Kempe v. Kempe (Cl)
 Wilson v. Litter
 Earl of Ashburnham v. Eastern
 Union Railway Co. (Cl)
 Bower v. Staplee (Cl)
 Taylor v. Armstrong (Cl)
 Burbidge v. Cotton
 Jeffreys v. Taylor (Cl)
 Sherson v. Le Blanc (2 causes)
 Shipman v. Chattock (2 caus.)
 Thackwell v. Gardiner (2 cau.)
 Harper v. Munday
 Jackson v. Barr (Cl)
 Collings v. Wood (Cl)
 Newton v. Lamb
 Anderson v. Arnold (Cl)
 Mayor of Rochester v. Lee
 (Equity reserved)
 Ward v. Ward
 Swanger v. Gardner (F D, C)
 Powell v. Smithson (Cl)
 Smithson v. Powell (Cl)
 Messenger v. Messenger (Sp.
 case)
 Williams v. Rees (F D, C)
 Gilliard v. M'Dowell (Cl)
 O'Brien v. Lord Kenyon (F
 D, C)
 Drosier v. Brereton
 Lea v. Grundy (F D, C)
 Williams v. Williams (Cl)
 Gedge v. Neville (F D, C)
 Carder v. Barnard (Cl)
 Cato v. Irving (Special case)
 Otter v. Brewer (F D, C)
 Lawrence v. Freeland (Cl)
 Chorley v. Cuff
 Robins v. Barron (F D, C)
 Taylor v. Frobbisher (Sp. case)
 Finch v. Secker (F D, C)
 Spackman v. Holbrook
 Norris v. Sandford (F D, C)
 Williams v. Griffiths (F D, C)
 Webster v. Wilson
 Surman v. Drinkwater (Cl)
 Whiteside v. Robinson SA
 Munday v. Waghorn
 Phillipson v. North SA
 Nickson v. Lloyd
 Webb v. Webb (Cl)
 Mumford v. Gee (Cl)
 Brittain v. Brittain (Cl)
 Bowers v. Lamond (Cl)
 Jenkin v. Row (Cl)
 M'Calmont v. Rankin (F D,
 C)
 Kough v. Westmacott (Cl)
 Wright v. Moore
 Seaman v. Rackham (Cl)
 Cuning v. Bishop (F D, C)
 Kirk v. Helsby (Cl)
 Clarke v. Clarke (2 causes) SA
 Brewster v. Candler (Cl)
 Broadley v. Harvey
 Cocker v. Horn
 Bishop v. Blair
 Powys v. Martin
 Candey v. Boor

Beckett v. Cuffin (Cl)
 Flalow v. Delasaux (Cl)
 Kough v. Jeffries (Cl)
 Hutchinson v. Teychenne (F
 D, C)
 Levason v. Hawks
 Elvery v. Elvery
 Wallis v. Wilson (2 causes)
 Rigbye v. Morris
 Lane v. Hardwicke (F D, C)
 Caird v. Tomkyns (F D, C)
 Smith v. Richards
 Farrance v. Veley (F D, C)
 Mallinson v. Holt
 Hyett v. Pocock (2 causes)
 Parry v. Roberts (Cl)
 Greene v. Warne (F D, C)
 Bolton v. Williams (2 causes)
 Hulme v. Heathcote (Cl)
 Threlfall v. Lewis (Cl)
 Dixon v. Wright (Cl)
 Faith v. Kettlewell (Cl)
 Mason v. Drury (2 Cls)
 Matthews v. Pincombe (Cl)
 Molesworth v. Taylor
 Lewis v. Lewis (Cl)
 Lee v. Holmes
 Holloway v. Gardiner (Cl)
 Collins v. Crookford (Cl)
 Beswicke v. Royds (F D, C)
 Wheelodon v. Perkins (F D, C)
 Pearce v. Watkins
 Coomber v. Baugh
 Sharman v. Egar (Cl)
 Stronghill v. Anstey (Cl)
 Warde v. Leigh
 Adkins v. Bliss
 Baldwin v. Baldwin (F D, C)
 Milnes v. Same (Cause)
 Calvert v. East and West India
 Docks and Birmingham
 Junction Railway Co.
 Harrison v. Round
 Chave v. Chave (F D, C)
 Ware v. Watson (2 causes)
 Walsh v. Wordsworth (Cl)
 Wallace v. Wallace (F D, C)
 White v. Smith
 Mills v. Lamb
 Burckett v. Lambert (Cl)
 Leigh v. Warde
 Pomeroy v. Ayshford
 Sowden v. Marriott (F D, C)
 Johnson v. Ball (Cl)
 Fox v. Follett (F D, C)
 Dunkley v. Dunkley (Cl)
 Beaumont v. James (Cl)
 Backhurst v. King (2 Cls) SA
 Dutton v. Lowndes
 Hedges v. Hedges (E, F D)
 Threlfall v. Winstanley (Cl)
 Lockwood v. Fenton
 Sankey v. Sayes (Cl)
 Hooke v. Laslett
 Martin v. Morgan (Cl) SA
 Crossman v. Thelluson (Cl)
 Johnslin v. Wheaton SA
 Malpas v. Miller (F D, C)
 Lyons v. Rongement (Cl)
 Ring v. Jarman SA
 Egremont v. Lee (F D, C)
 Weedon v. Winkworth (F D,
 C)
 Attorney-Gen. v. Munro (E,
 F D)
 Davey v. Harrison SA
 Fowler v. Sillibourne SA
 Rittson v. Stordy
 Vincent, Bart., v. Hunter
 Peck v. Steptoe (Cl)
 Lee v. Barker

Wilson v. Still (Cl)
 Mason v. Thorley (Cl)
 Hughes v. Godson (F D, C)
 Haywood v. Grazebrook (F D,
 C)
 Hunt v. Nash (F D, C) SA
 Wallis v. Whateley
 Collings v. Nicholls
 Hayman v. Hayman (Cl)

Att.-Gen. v. Mayor, &c. of
 Boston (F D, C) SA
 Hancor v. Harrison (2 causes)
 Nesbitt v. Fisher (F D, C) SA
 Hume v. Bentley (E)
 Grieves v. Bawley (Cl) SA
 Stocken v. King (F D, C)
 Hunter v. Nockolds
 Cutler v. Olive.

Before Vice-Chancellor Lord CRANWORTH, at Lincoln's Inn.

Lloyd v. Lowndes (D)
 Daintre v. Tracy (D)
 Robinson v. Lamond (E)
 Pollard v. Doyle (2 Ds)
 Smith v. Stanley (E)
 Dean v. Morris (E)
 Macintyre v. Connell (E)
 Egerton v. Earl Brownlow (D)
 Attorney-Gen. v. Cozens and
 Hardy (As to parties)
 Rew v. Lane (E)
 Penny v. Goode (E)
 Clements v. Bowes (D)
 Lewes v. Lewes (Objection as
 to parties)
 Winthrop v. Elderton (Pl)
 Bartley v. Bartley (E)
 Sellick v. Badman (E)
 Sewell v. Murray (E, part hd.)
 Menlove v. Carter } (4 causes)
 Menlove v. Hogg }
 Palmer v. Goren (2 causes)
 Bird v. Bird (E, F D)
 Newman v. Warner (E, F D)
 Harcourt v. Seymour (3 ca.)
 Seymour v. Lord Vernon (4
 causes)
 Matthews v. Venables (F D,
 Cause)
 Adey v. Arnold (F D)
 Pugh v. King (F D)
 Nelson v. Hopkins
 Deighton v. Wheeler
 Duchess of Stacpoole v. Lodge
 (2 causes)
 Alliborne v. Walker (3 causes)
 Fidkin v. Webb (F D)
 Walter v. Corpe (F D)
 Lilley v. Medlycott (2 causes)
 Attorney-Gen. v. Andrews
 Gibson v. Gibson
 Galland v. Watson (F D)
 Lord v. Weightwick (E, F D)
 Chapels Enlargement Society
 v. Barlow
 Jones v. Morrall (F D)
 Bickford v. Bickford (E)
 Sewell v. Monypenny
 Johnson v. Farris (Cl)
 Miles v. Durnford
 Whitwell v. Vipan (2 Cls)
 Birch v. Joy (E)
 Stapleton v. Stapleton (Cl)
 Gray v. Gray
 Bennet v. Burrell
 Hand v. Wells (Cl)
 Eales v. Pitt
 Rackstraw v. Meacher (F D,
 Ptn)
 Bethane v. Leggatt (F D)
 Thorold v. Bailey (Cause, Ptn)
 Forbes v. Kemshead
 Pierce v. Griffiths (F D)
 Atkinson v. Gylby (E, F D)
 Barker v. Attorney-Gen.
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Greenway v. Broomfield (F D)
 Parkyn v. Wightwick
 Collett v. Newnham
 Owen v. Derbyshire (Cl)
 Gabriel v. Stratton
 Hardy v. Hull (F D)
 Panter v. Panter
 Barlow v. Lantour
 Bush v. Windey (E, 2 sets)
 Mayor, &c. of Berwick v.
 Murray
 Calvert v. Seabright (E)
 Middleton v. Middleton (F D)
 Frost v. Hilton
 Symonds v. Winstoun (F D)
 Lewis v. Smith (F D)
 Williams v. Symonds (F D)
 Whitworth v. Brogden (3 ca.)
 Roberts v. Roberts (F D)
 Alice Fletcher v. Moore
 Ball v. Barker (F D)
 Oddie v. Tattersall (F D)
 Aufreere v. Hill (E, F D)
 Brown v. Smith (E)
 Brown v. Paul (2 causes)
 Fazakerley v. Gillibrand (E,
 F D)
 Fletcher v. Gerrard (2 causes)
 Att.-Gen. v. Wilshe (F D)
 Hole v. Gedge (F D)
 Polley v. Seymour (F D)
 Gladrow v. Hull Glass Co.
 (F D)
 Stockwell v. Goldsborough (2
 Cls)
 Hiles v. Moore (E, Ptn)
 Bradley v. Munton (E, Can.)
 Sturgis v. Arrowsmith (F D)
 Randall v. Parkinson (F D)
 Wilkinson v. Hartley (E)
 Same v. Same (F D)
 Waldron v. Sloper (Cl)
 Clarke v. Font (F D, C)
 Stapleton v. Stapleton (Special
 case)
 Goodale v. Goodale
 Kensit v. Stratford (F D, C)
 Rose v. Gould (F D, C)
 Attorney-Gen. v. Trevalyan
 Langton v. Duke of Portland
 (Cl)
 Gardner v. Smithson (Cl)
 Vigurs v. Vigurs (E)
 Barron v. Lancefield (Cl)
 Reeves v. Nevell (F D)
 Butterfield v. Heath (E)
 French v. Eskett (Cl)
 Bishop v. Suter (Cl)
 Johnson v. Johnson (F D, C)
 Jennings v. Paterson (Cl)
 Blackett v. Lamb (Sp. case)
 Dobson v. Lascelles (Cl)
 Loveday v. Barnard (Cl)
 Hobden v. Molineux
 Harrop v. Stabbing (Cl)
 Keibell v. Samms
 Same v. Norris
 Davis v. Gray (E)
 De Caulier v. Druce (Cl)
 Johnson v. Johnson (Cl)
 Creason v. Robinson (Cl)

Green v. Haywood (Cl)
 Sinclair v. Jackson
 Arthur v. Arthur (Cl)
 Jonathan Arthur v. Arthur (Cl)
 Hampton v. Crake
 Rodney v. Rodney (F D, C)
 Ball v. Brook
 Stansfield v. Hobson (Cl)
 Hanchet v. Thurgood (Cl)
 White v. Jackson (F D, C)
 Poole v. Gordon
 Aldebert v. Sams
 Upton v. Havill
 Jackson v. Brooke (F D, C)
 Tompkins v. Waters (Cl)
 Pope v. Pope (Special case)
 Clarke v. Gags (Cl)
 Zulueta v. Tyrie
 Nixon v. Phillips (Cl)
 Hollingsworth v. Shakeshaft (2 causes)
 Andrews v. Same
 Light v. Everingham (Special case)
 Lennard v. Matthews (Cl)
 Toulmin v. Reid
 Blake v. Grand Surrey Canal Co.
 Evans v. Greenhill
 Gooding v. Read (Cl)
 Bailey v. Boulton (Cl)
 Bell v. Rea (E)
 Tweedy v. Harvey (Cl)
 Thomas v. Bell (Cl)
 Dicken v. Aldermea (Cl)
 Shannon v. Isaacs
 Gilpin v. Magee (Cl)
 Wellesley v. Wellesley (E)
 Countess of Mornington v. Earl of Mornington
 Halford v. Staines (F D)
 Same v. Same (Cause)
 Granville v. Betts (2 causes)
 Thompson v. Goodhart (Cl)
 Selby v. Pasley (Cl)
 Sanderson v. Trollope
 Sandell v. Sandell (Cl)
 Twining v. Twining (Rehear.)
 Shea v. Boschetti (Cl)
 Douthwaite v. Douthwaite (Cl)
 Gregory v. Harries (Cl)
 Stuart v. Lloyd
 Leigh v. Mosley (Special case)
 Waggitt v. Welsh (Cl)
 Lord Lonsdale v. Count de Zechy Ferraris
 Hall v. Langley (Cl)
 Pearce v. Wrighton (Cl)
 Marshall v. Nadin
 Eaton v. Eaton (2 causes)
 Davies v. Griffiths (Cl)
 Boothby v. Graves (F D, C)
 Wood v. Lench
 Drosier v. Brereton
 Dennitt v. Elwick (Cl)
 Winter v. Elwick (Cl)
 Smart v. Long (Cl)
 Cockell v. Taylor
 Bristow v. Fuller (Cl)
 Jefferies v. Biggs (Cl)
 Bird v. Smith (F D)
 Nottidge v. Ripley
 Lake v. Currie (Cl)
 Jackson v. Jackson (Sp. case)
 Alepson v. Gramalt (Cl)
 Ashford v. Haines (Cl)
 Goodman v. Iose
 Gregory v. Simmons (Cl)
 Long v. Watkinson (F D, C)
 Long v. Long (Cause)

Moorhouse v. Colvin
 Williams v. Powell (E)
 Same v. Same (F D, C)
 Blakiston v. Browne (F D, C)
 Ives v. Desormaux (Cl)
 Simes v. Langridge (Cl)
 Ford v. Stuart (3 causes)
 Barlow v. Worthington (Cl)
 Fletcher v. Windsor
 Ridley v. Tiplady
 Stephens v. Leach (Cl)
 Denis v. Denis (Cl)
 Ainsworth v. Alman (Special case)
 Gabbitts v. Saunders (Cl)
 Thornton v. Ellis (F D, C)
 Same v. Same (Cause)
 Preston v. Collett
 Allcock v. Allcock (Cl)
 Morgan v. Earl of Home (Cl)
 Scobell v. Hornbrook (Cl)
 Reeves v. Seymour (Cl)
 Ashton v. Withnell
 Mortimer v. Watts (Sp. case)
 Fearon v. Desbrisay
 Gray v. Gray
 Butler v. Oxenham } (F D, C)
 Vincent v. Watt
 Bush v. Perrin
 Haverfield v. Griffith (Cl)
 Williams v. Lewis
 M'Gacker v. Dew
 Dew v. M'Gacker
 Holbrook v. Fley (Cl)
 Paul v. Roy
 Eccles v. Hewgill (Cl)
 Barlow v. Barlow (Cl)
 Rigby v. Chamberlaine (Cl)
 Lowe v. Plant
 Annesley v. Mogg
 Baxter v. Losh (Special case)
 Horlock v. Horlock (Cl)
 Sims v. Kelling (Cl)
 Whitehead v. Lynes
 Cave v. Cave
 Penny v. Musson (Cl)
 Hitchcock v. Jaques (F D, C)
 Edwards v. Burt
 Brophy v. Bellamy (F D)
 Lethbridge v. Thurlow (Sp. case)
 Stanley v. Yardley (Cl)
 Toogood v. Robins (3 causes)
 Jamieson v. Pinnager (Cl)
 Bryan v. Collins
 Platel v. Stapleton (2 Cls)
 Case v. Durrant (Cl)
 Wellings v. Price (Cl)
 Towell v. Simper (Cl)
 Best v. Tynte (2 causes)
 Evans v. Evans
 Jones v. Lord Langdale (F D, C)
 Alice Fletcher v. Mulliner
 Ellis Fletcher v. Windsor
 Holliday v. Overton (Cl)
 Turner v. Boulton (Cl)
 Mahoney v. Galway (F D, C)
 Hoghton v. Hoghton (2 causes)
 Delahunt v. Delahunt SA
 Cross v. Brown
 Ellis Fletcher v. Gerrard
 Gregory v. Moore (Cl)
 Windsor v. Milliner
 Phipps v. Stone (Cl)
 Sutton v. Smith (2 causes)
 Begg v. Trecothick (Cl)
 Tebbs v. Killingback (Cl)
 Towsey v. Smith (Cl)
 Gynn v. Gilbard (F D, C)
 Paris v. Dyer (Cl)

Warren v. Winslow (Cl) SA
 Cattley v. Vincent
 Suter v. Seemark (F D, C) SA
 Jackson v. Grant
 Foster v. Bonner
 Newman v. Baker (Cl)
 O'Brien v. Nugent
 Greene v. Flowers

Wilkinson v. Hutchinson (F D, C)
 Capper v. Mills (F D, C)
 Collard v. Sampson (Cl)
 Mangin v. Mangin SA
 Hamilton v. Baldwin (Sp. ca.)
 Jones v. Lodge
 Phillips v. Lewis (F D, C)

Before Vice-Chancellor Sir G. TURNER, at Lincoln's Inn.
Causes, Claims, &c. transferred from Vice-Chancellors Knight Bruce and Lord Cranworth's Lists by order of the Lord Chancellor.

The Causes and Claims marked thus * are from Lord Cranworth's List of Causes.

Fox v. Daly (Cl) Mich. T.
 Bradberry v. Broadhead M. T.
 Luntley v. Hoby Mich. T.
 Fordham v. Wallis (2 causes) Mich. T.
 Maynard v. Higgins Mich. T.
 Bridges v. Mawe (Cl)
 *Askew v. Millington July 10
 Howard v. Tollett (Cl)
 Dutton v. Colston (3 causes, part heard)
 Pittman v. King (Cl)
 Chamberlaine v. Hughes (Cl)
 *Withers v. Birmingham and Oxford Junction Railway Co.
 *Moore v. Welham
 Devey v. Thornton
 Finney v. Macintosh (Cl)
 Burt v. Westbrook (Cl)
 Hull v. Grimshaw (Cl)
 Webb v. London and Portsmouth Railway Co. (Cl)
 *Albinson v. Pendlebury
 Chadwick v. Madden
 Granger v. Reeves (Cl)
 Halden v. Halden (Cl)
 Chesterman v. Mann
 Richards v. Richards (Cl)
 *Bassil v. Lister
 *Hull v. Hull
 Wright v. Chaffers (2 causes)
 Evans v. Evans
 Wilkinson v. Wilkinson
 *Lincoln v. Windsor
 *Bromitt v. Moore (Cl)
 *Wilkinson v. Powkes
 *Paterson v. Cuel (Cl)
 Wright v. Lamb (Cl)
 Barnard v. Barnard (Cl)
 Grange v. Smith (Cl)
 Pearce v. Williams (Cl)
 Lee v. Lee } (3 causes)
 Lys v. Same
 Winnall v. Henney (Cl)
 Moore v. Prance (2 causes)
 Higginson v. Higginson (Cl)
 Brown v. Sewell
 Eccles v. Cheyne (Cl)
 *Hayward v. Price (Cl)
 Hopkins v. Haynes
 Harrison v. Randall (3 causes)
 Estaugh v. Collins (Cl)
 Brown v. Randall (3 Cls)
 Olding v. Long (Cl)
 Lee v. Berriman (Cl)
 Smith v. Bartrup (Cl)
 Waterhouse v. Stansfield (Cl)
 Dawe v. Dawe } (Cl)
 Same v. Same
 Watts v. Russell
 Anderson v. Guichard (Cl)
 Baskett v. Skeel (Cl)
 *Stevens v. Wilkinson (Cl)

Bealey v. Hull (Cl)
 Smith v. Hurst (2 causes)
 Mercer v. Dyson
 Nash v. Hodgson (Cl)
 *Parry v. Parry
 *Gregory v. Wilson
 *Wilkinson v. Standage
 Cawsey v. Cawsey (Cl)
 Russell v. Jackson
 Corfield v. Wace (Cl)
 Abbott v. Calton (Cl)
 *Bettington v. Jolliffe (Cl)
 South-eastern Railway Co. v. Duerr
 Chant v. Brown
 *Payne v. Cooke (Cl)
 *Lambie v. Lambie (Cl)
 Saward v. Tillett
 *Hervey v. Cooke
 *Porter v. Hannam (Cl)
 Oxford v. Gibson (Cl)
 Whitworth v. Rhodes (2 cau.)
 Burnett v. Martin (Cl)
 *Newman v. Mather
 *Harvey v. Burrows (Cl)
 *Smith v. Mules
 *Knight v. Knight (Cl)
 Bolton v. Michel (Cl)
 *Jones v. Maggs (Cl)
 *Sergison v. Adey
 Cobb v. Duck
 *Chivers v. Wood (Cl)
 *Page v. Cox
 Welch v. Callis (Cl)
 Kewitt v. Loosemore
 Norbury v. Green
 Sawyer v. Duncan (Cl)
 Douglas v. Horton
 Franks v. Franks (Cl)
 *Dennett v. Pepper (Cl)
 Bates v. Fenwick (Cl)
 *Bates v. Bates
 Life v. Watson
 Sherwood v. Vincent
 Chapman v. Great Northern Railway Co. (Cl)
 Lugar v. Butler
 Gardy v. Hodges (Cl)
 Turnbull v. Wawn (Cl)
 *Stringer v. Staggs (Cl)
 Curling v. Newton
 *Catlin v. Brown
 *Grand Trunk or Stafford and Peterborough Union Railway Co. v. Brodie
 *Same v. Sturgis
 *Mayor, &c. of Huntingdon v. Great Northern Railway Co. (Cl)
 *Carlson v. Mercer (Cl)
 Vernall v. Vernall
 Goode v. West (Cl)
 Pottle v. Beaman (Cl)
 *Allen v. Crawshaw

*Hughes v. Wells (3 causes)
 Webster v. Taylor
 *Champion v. Mayor, &c. of Gravesend (Cl)
 *Long v. Storie
 Williams v. Roper (Cl)
 Godwin v. Scorey (Cl)
 Tyler v. Evans (2 causes)
 Evans v. Evans
 Parker v. Lake (Cl)
 Tweedale v. Johnson (Cl)
 Pike v. Bullock (Cl)
 Blaxland v. Blaxland
 Webber v. Webber (Cl)
 Hazeldine v. Cragg
 *Last v. Goldsmith
 *Jones v. Fleming (Cl)
 Nathan v. Brandon (2 causes)
 *Fryer v. Durant (Cl)
 *Pearce v. Moyhew (Cl)
 Salmon v. Lunn (Cl)
 Andrews v. Patzcker (Cl)
 *Higgs v. Magnay (Cl)
 *How v. Hamilton (Cl)
 Richardson v. Eyton (Cl)
 Newing v. Gerard
 Crossley v. Crowther (Cl)
 Hunter v. Clark (Cl)
 *Granger v. Poole (Cl)
 Smith v. Park (Cl)
 Davies v. Holmes (F D)
 *Roumieu v. Smith
 *Billage v. Southen
 *Morrell v. Tinkler
 Watson v. Butler (Cl)
 *Lewis v. Gotbed (Cl)
 Heath v. Baker
 *Neigee v. Dean (Cl)
 Burrows v. Walls
 Barnard v. Anderson
 Reeves v. Trenchard (Cl)
 *Moualey v. Agar
 *Doewell v. Cooper (Cl)
 Dyson v. Dyson
 Rogers v. Mort
 Ross v. Great Western Railway Co. (Cl)
 King v. Phillips
 Ravenhill v. Lloyd (Cl)
 *Tanner v. Higham (Cl)
 *Hughes v. Morris (2 causes)
 Osborne v. Strutt
 Crosse v. Lawrence (Cl)

Crosse v. Keene (Cl)
 Same v. Young (Cl)
 Same v. Rennie (Cl)
 Same v. Phillips (Cl)
 Same v. Protheroe (Cl)
 Cottingham v. Doughty (Cl)
 *Blakey v. Duke of Montrose
 *South Wales Railway Co. v. Clarke
 Wilks v. Penton
 Oldfield v. Lord Seymour (Cl)
 *Smith v. Shave (Cl)
 *Att.-Gen. v. Hull (2 causes)
 Jackson v. Craig (Special case)
 Storer v. Smith
 Hertzelt v. Smith
 Colchester, Stour Valley, &c. Railway Co. v. Gooday (Cl)
 *Towns v. Farmer (Cl)
 *George v. Wilkinson (Cl)
 *Millicar v. Vanderplank (Cl)
 Johnes v. Jones
 Smith v. Stewart (Special case)
 Powell v. South Wales Railway Co.
 Holloway v. Poole (Cl)
 Rice v. Rice
 *Drury v. Merivale (Cl)
 Ford v. Ford
 Tatham v. Platt
 Sugden v. Myers (Cl)
 Fox v. Blight (Cl) SA
 Hall v. Mott
 Surtees v. Irving (Cl)
 Rochford v. Hackman (Cl)
 White v. Scowen (Cl)
 Gordon v. Henning (Cl)
 Falkner v. Grace (Sp. case)
 Newman v. Clutton (Sp. case)
 Bradwell v. Bolton (Cl)
 Whitwell v. Pratt
 Crump v. Dowding
 Vine v. Todd
 Ward v. Miles
 Harvey v. Blount (Cl)
 Adams v. Jones (Cl)
 Lealie v. Thompson (Sp. case)
 Westacott v. Westacott (Cl)
 Flower v. Becke (Cl)
 Thomas v. Thomas (Cl)
 Cooke v. Young (Cl) SA
 Gooding v. King (Cl).

BENJAMIN JOHN BENTON, White Horse-st., St. Dunstan's, Stepney, Middlesex, corn and coal merchant, July 4 at half-past 1, and Aug. 5 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. G. & E. Hilleary, 63, Fenchurch-street.—Petition filed June 20.

WILLIAM DAVIES, Walbrook, London, coal merchant, July 3 and Aug. 7 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Gresham, 3, Castle-street, Holborn.—Petition filed June 21.

THOMAS GEORGE TIDEY, Rugby, Warwickshire, bookseller, stationer, dealer and chapman, July 3 and 31 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Wratialaw, Rugby.—Petition dated June 14.

METINGS.

Leonard Wild Lloyd, Goldhawk-terrace, New-road, Shepherd's-bush, Middlesex, builder, July 4 at 2, Court of Bankruptcy, London, last ex.—*Wm. Burrows*, Park-street, Islington, Middlesex, surgeon, July 11 at 12, Court of Bankruptcy, London, last ex.—*Richard Brown*, Old Broad-st., London, auctioneer, July 4 at half-past 11, Court of Bankruptcy, London, last ex.—*W. J. Hawley*, Richard-st., Woolwich, Kent, grocer, July 7 at half-past 12, Court of Bankruptcy, London, and ac.—*John Slater Marshall*, Goswell-road, Clerkenwell, shoe dealer, July 7 at half-past 12, Court of Bankruptcy, London, and ac.—*Peter Wootton* the elder and *Peter Wootton* the younger, Margate, Kent, grocer, July 7 at half-past 12, Court of Bankruptcy, London, and ac.—*Henry Durham Stevenson*, West Sunnyside, Bishop Wearmouth, Durham, merchant, July 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*Wm. Tytler*, Birmingham, tallowchandler, July 8 at 12, District Court of Bankruptcy, Birmingham, and ac.—*Wm. Dale*, London-wall, London, boot maker, July 15 at 11, Court of Bankruptcy, London, div.—*Joseph Shelford*, Standon, Hertfordshire, butcher, July 15 at half-past 11, Court of Bankruptcy, London, div.—*James Carter*, Bristol, victualler, July 17 at 11, District Court of Bankruptcy, Bristol, fin. div.—*Benj. Wright*, Liverpool, dealer in paint, July 15 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

George Wheeler, Richmond, Surrey, grocer, July 16 at 11, Court of Bankruptcy, London.—*Richard Gudgeon*, Cople, Bedfordshire, licensed victualler, July 17 at 11, Court of Bankruptcy, London.—*John Marshall*, Southampton, coal merchant, July 18 at half-past 1, Court of Bankruptcy, London.—*William Lane Martin*, Gravesend, Kent, ironmonger, July 18 at 2, Court of Bankruptcy, London.—*John Moore* the younger, Aylesbury, Buckinghamshire, draper, July 18 at 12, Court of Bankruptcy, London.—*Henry Durham Stevenson*, Bishopwearmouth, Durham, merchant, July 16 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James Mitchell*, Monkwearmouth-shore, Durham, shipowner, July 16 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne.—*William Andrews*, Liverpool, agent, July 15 at 11, District Court of Bankruptcy, Liverpool.—*Thos. Hunspeet Butler*, Lichfield, ironmonger, July 17 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Burrell, Blackmore, Essex, victualler. — *Walter M'Dowall*, Little Queen-street, Lincoln's-inn-fields, Middlesex, printer.—*Robert Gadesden*, Brompton-square, Middlesex, coal merchant.—*Mary Astle*, widow, *Joseph Thomas Astle*, *George Astle*, and *Charles Astle*, Coleman-street, London, bookbinders.—*James Fletcher*, Haslingden, Lancashire, hardware dealer.—*John M'Lean*, Liverpool, commission merchant.—*Robert Blacker*, Ripon, Yorkshire, innkeeper.

SCOTCH SEQUESTRATIONS.

Alexander Drysdale, Edinburgh, cloth warehouseman.—*William Thomson*, deceased, Edinburgh, writer.—*John Campbell*, Rothesay, joiner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Shelley, Liverpool, hotel keeper, July 1 at 9, County Court of Lancashire, at Liverpool.—*John Jones*,

London Gazettes.

TUESDAY, JUNE 24.

BANKRUPTS.

ANTHONY PATTEN, Chapple, Essex, horse dealer and jobber, dealer and chapman, July 12 at 1, and July 29 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. G. & E. Hilleary, 63, Fenchurch-st., City, and Stratford, Essex.—Petition filed June 21.

JOSEPH SOWERBY, Oxford-st., Middlesex, silkmercer, dealer and chapman, July 10 and Aug. 12 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Wootton, 10, Tokenhouse-yard, City.—Petition filed June 12.

WILLIAM HANSON, Albion-wharf, Kensington-canal-basin, Warwick-road, Kensington, Middlesex, statuery and mason, July 3 at 10, and Aug. 5 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Ladgrove, 52, Mark-lane.—Petition filed June 19.

AUGUSTUS BOZZI GRANVILLE, Wembly, near Harrow-on-the-Hill, and Piccadilly, Middlesex, boarding and lodging house keeper, dealer and chapman, June 28 at 2, and Aug. 23 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrence & Plews, Old Jewry-chambers, London.—Petition dated May 21.

Liverpool, agent and collector, July 1 at 9, County Court of Lancashire, at Liverpool.—*Samuel Genese*, Liverpool, auctioneer, July 1 at 9, County Court of Lancashire, at Liverpool.—*James Wood*, Everton, near Liverpool, assistant master of the West Derby Union Workhouse, July 1 at 9, County Court of Lancashire, at Liverpool.—*Henry Liveredge*, Liverpool, out of business, July 1 at 9, County Court of Lancashire, at Liverpool.—*Thomas Duke*, Liverpool, beer-house keeper, July 1 at 9, County Court of Lancashire, at Liverpool.—*John Surr*, Liverpool, writing clerk, July 1 at 9, County Court of Lancashire, at Liverpool.—*John Douglas Robinson*, Liverpool, clerk to a passenger broker, July 1 at 9, County Court of Lancashire, at Liverpool.—*Robert Milward*, Pershore, Worcestershire, beer-house keeper, July 10 at 2, County Court of Worcestershire, at Pershore.—*Samuel Beard*, Wrockwardine, Shropshire, labourer, July 11 at 10, County Court of Shropshire, at Wellington.—*William Lediard*, Worcester, cabinet maker, July 9 at 10, County Court of Worcestershire, at Worcester.—*James Greenough*, Wannington, Lancashire, assistant to a druggist, July 3 at 10, County Court of Lancashire, at Wannington.—*Joseph Morris*, Lee-croft-lodge and Woodbine-cottage, Hurstperpoint, Sussex, lodging-house keeper, July 17 at 12, County Court of Sussex, at Cuckfield.—*James Gibson*, Hexham, Northumberland, painter, July 14 at 2, County Court of Northumberland, at Hexham.—*Charles Hall*, Portsmouth, Southampton, licensed victualler, July 16 at 10, County Court of Hampshire, at Portsmouth.—*Walter Scott*, Havant, Southampton, printer, July 16 at 10, County Court of Hampshire, at Portsmouth.—*George Hough*, Huddersfield, Yorkshire, corn miller, July 11 at 10, County Court of Yorkshire, at Huddersfield.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 9 at 11, before the CHIEF COMMISSIONER.

Isaac Souter, Bell's-buildings, Salisbury-square, Fleet-st., City, bookbinder.—*Charles Bennett*, Jewry-street, Crutched-frairs, City, clerk to a shipping broker.—*Edmund Green*, Grafton-place, New-road, Middlesex, comedian.

July 9 at 10, before Mr. Commissioner LAW.

John Anderson, Gloucester-street, St. John-street-road, Clerkenwell, Middlesex, china painter.

Saturday, June 21.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Everist, Welling, Kent, gentleman, No. 73,669 C.; T. M. Smith and Wm. Mate, assignees.—*J. E. M. Douglas*, Knightsford, Carmarthenshire, gentleman, No. 58,702 C.; James Thomas, assignee.

Saturday, June 21.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. H. Bonds, Creek-road, Deptford, Kent, builder: in the Queen's Prison.—*F. P. Parker*, Windsor-terrace, Vauxhall-road, Pimlico, Middlesex, clerk in the Mental Life Assurance-office: in the Queen's Prison.—*John Tris Bragg*, Belgrave-street, New-road, King's-cross, Middlesex, wine merchant: in the Debtors Prison for London and Middlesex.—*Jonathan Jarvis*, Great Wild-street, Lincoln's-inn-fields, Middlesex, milkman: in the Debtors Prison for London and Middlesex.—*Fred. Sparrow*, Skinner-street, Snow-hill, London, wine merchant: in the Debtors Prison for London and Middlesex.—*W. Fairchild*, Church-place, Paddington-green, Middlesex, veterinary surgeon: in the Debtors Prison for London and Middlesex.—*James Fisher*, Sloane-street, Chelsea, Middlesex, confectioner: in the Debtors Prison for London and Middlesex.—*A. R. Davis*, Mitre-street, Aldgate, London, shoemaker: in the Debtors Prison for London and Middlesex.—*N. J. Woolley*, High-street, Camden-town, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*Ann Reynolds*, Grasse-street, Rathbone-place, Middlesex, lodging-house keeper: in the Debtors Prison for London

and Middlesex.—*Alexander Reid*, Tachbrook-street, Pimlico, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Edward Cowell*, Cambridge, agent for the sale of books: in the Debtors Prison for London and Middlesex.—*Fred. Gilbert*, Phoenix-place, Phoenix-street, Spitalfields, Middlesex, grocer: in the Debtors Prison for London and Middlesex.—*A. Carroll*, East-street, Finsbury-market, Middlesex, furniture dealer: in the Debtors Prison for London and Middlesex.—*Thomas Ratray*, Bedford-place, Commercial-road, Stepney, Middlesex, foreman to an ironmonger: in the Debtors Prison for London and Middlesex.—*Colin McCulloch*, Sidney-square, Mile-end, Middlesex, ship broker: in the Debtors Prison for London and Middlesex.—*Edmond Kiggins*, Wellington-street, Blackfriars-road, Surrey, hawker of linen drapery: in the Gaol of Surrey.—*Joseph Hall*, Terrace, Trinity-square, Tower-hill, London, surgeon: in the Debtors Prison for London and Middlesex.—*Wm. Wells* the younger, Shouldham-street, Queen-street, Edgeware-rd., Middlesex, out of employ: in the Debtors Prison for London and Middlesex.—*Henry Hatley*, Riding-house-lane, St. Mary-lebone, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Fraser Houston Bloam*, Mitcham-common, Surrey, out of business: in the Gaol of Surrey.—*James Bennett*, Salford, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Henry Crockwell*, Salford, Lancashire, commission agent: in the Gaol of Lancaster.—*Francis H. Church*, Gravesend, Kent, surgeon: in the Gaol of Maidstone.—*George Garner*, Manchester, baker: in the Gaol of Lancaster.—*Thomas Harrison*, Bolton-le-Moors, Lancashire, butcher: in the Gaol of Lancaster.—*John O. Hayes*, Salford, Lancashire, beer-house keeper: in the Gaol of Lancaster.—*John Jackson*, Choriton-upon-Medlock, Manchester, beer-seller: in the Gaol of Lancaster.—*James Mills*, Westerton, Sussex, farm bailiff: in the Gaol of Petworth.—*R. Robinson*, Salford, Lancashire, rent collector: in the Gaol of Lancaster.—*Hen. Upfield*, West Chiltonington, Sussex, grocer's assistant: in the Gaol of Petworth.—*Ebenezer Davies*, Merthyr Tydvil, Glamorganshire, carpenter, joiner, and builder: in the Gaol of Cardiff.—*John Evans*, Dowlais, Merthyr Tydvil, Glamorganshire, tallow-chandler: in the Gaol of Cardiff.—*John Cannon*, Harlow, Essex, wheelwright: in the Gaol of Springfield.—*Richard Osbourne*, Rochdale, Lancashire, tailor: in the Gaol of Lancaster.—*Joseph Richardson*, Middlesbrough, Yorkshire, printer: in the Gaol of York.—*Henry Thomas*, Paignton, Devonshire, mason: in the Gaol of St. Thomas the Apostle.—*James R. Taylor*, King's Norton, Worcestershire, out of business: in the Gaol of Coventry.—*Richard Wade*, Chatham, Kent, linendraper: in the Gaol of Maidstone.—*Thomas Sunderland*, Lindley, near Huddersfield, Yorkshire, fancy-cloth manufacturer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 8 at 11, before the CHIEF COMMISSIONER.

Francis P. Nicoll, Park-road, Regent's-park, Middlesex, in no profession.—*John Still*, High-st., Camberwell, Surrey, in no business.—*Patrick Galvin*, Market-st., Fitzroy-market, Middlesex, bricklayer's labourer.

July 9 at 10, before Mr. Commissioner LAW.

Henry Stanley, Easton-grove, Easton-square, Middlesex, lodging-house keeper.—*Joseph J. Marquetti*, Hope-cottages, Gloucester-place, Kentish-town, Middlesex, clerk to the American Consul in London.

July 10 at 11, before Mr. Commissioner PHILLIPS.

Thomas Martin, London-terrace, London-fields, Hackney, Middlesex, grocer.—*George Freeman*, Great Chapel-street, Broadway, Westminster, Middlesex, out of business.—*Edward Wilson*, King-st., Lambeth-walk, Lambeth, Surrey, furniture broker.—*John Neal*, New-road, St. George's-in-the-East, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, July 8 at 10.

William Sharman, Coates, Whittlesey, Isle of Ely, out of business.

At the County Court of Worcestershire, at WORCESTER, July 9 at 10.

John James, Hanley Castle, dealer in coal.

At the County Court of Sussex, at PETWORTH, July 11.

Thomas Ambridge, Littlehampton, jobber.—H. Upfield, West Chiltington, grocer's assistant.—James Mills, Westerton, near Chichester, farm bailiff.

At the County Court of Essex, at CHELMSFORD, July 9.

John Cannon, Harlow, wheelwright.

At the County Court of Kent, at MAIDSTONE, July 8.

George Wilson, Gravesend, surveyor.—Francis H. Church, Gravesend, surgeon.—Richard Wade, Ramsgate, linendraper.

INSOLVENT DEBTOR'S DIVIDEND.

Watson York, Brigstock, near Thrapstone, Northamptonshire, farmer, July 1, Summers's, Thrapstone, Northamptonshire: 7d. in the pound, (in addition to former dividends).

FRIDAY, JUNE 27.

BANKRUPTS.

JOHN MURRAY, Sheerness, Isle of Sheppey, Kent, builder, dealer and chapman, July 4 at 12, and Aug. 8 at 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Ward, Sheerness; Beckitt, 3, South-sq., Gray's-inn.—Petition dated June 26.

JAMES BALLINGALL, Edward-street, Portman-square, Middlesex, pianoforte maker, July 4 and Aug. 8 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Paxon, 16, Bloomsbury-sq.—Petition dated June 24.

JONAS WALPOLE, Northwold, Norfolk, money scrivener, dealer and chapman, July 10 at 12, and Aug. 8 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. L. & W. Reed, Downham-market, Norfolk; Pringle & Co., King's-road, Gray's-inn, London.—Petition filed June 24.

THOMAS ALLOM, Regent-st., Middlesex, bookseller and publisher, July 5 at half-past 1, and Aug. 19 at half-past 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Lloyd, 36, Milk-street, Cheapside, London.—Petition dated June 24.

WILLIAM BRIDGES the younger, formerly of Sutton St. Edmund's, Lincolnshire, now of Whittlesea, Cambridgeshire, farmer and cattle dealer, July 5 at 1, and Aug. 19 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Schultz, 4, Dyer's-buildings, Holborn.—Petition dated June 18.

ISAAC BOYD, Spital-square, Middlesex, silk manufacturer, July 12 at 1, and Aug. 8 at half-past 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Crowder & Maynard, 57, Coleman-st., City.—Petition filed June 25.

JOSEPH PRICE and **JOHN LAVENDER**, Birmingham, dealers and chapmen, (trading under the style or firm of Joseph Price), July 8 and 30 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Hodgson, Birmingham.—Petition dated June 23.

JOHN NELSON CARPENTER, Eardisland, Herefordshire, miller, dealer and chapman, July 12 at half-past 12, and Aug. 11 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Suckling, Birmingham.—Petition dated June 12.

WILLIAM TUCKER the younger, Kingston-upon-Hull, coal merchant, July 9 and 30 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Levett & Champney, Kingston-upon-Hull.—Petition dated June 18.

HUGH MATHESON, Liverpool, merchant, dealer and chapman, July 14 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Littledale & Bardwell, Liverpool.—Petition filed June 23.

WILLIAM GARROW, Bootle, near Liverpool, merchant and shipowner, July 14 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Forshaw, Liverpool.—Petition filed June 25.

JOHN OWEN, Welshpool, Montgomeryshire, flannel manufacturer, dealer and chapman, July 21 and Aug. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Woosnam & Lloyd, Newtown; Mason, Liverpool.—Petition filed June 23.

THOMAS EDWARDS, Liverpool, basket and hamper manufacturer, and dealer in earthenware, July 10 and Aug. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Dodge, Liverpool.—Petition filed June 25.

WILLIAM WHITEHEAD, Lancaster, cabinet maker, July 8 and 29 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Rowley, Manchester.—Petition filed June 18.

MEETINGS.

Charles Gale, Hart-st., Bloomsbury, Middlesex, plumber, July 18 at 12, Court of Bankruptcy, London, ch. ass.—*Charles Newton*, Dingland Mills, near Wivenhoe, Essex, miller, July 7 at 1, Court of Bankruptcy, London, last ex.—*Wm. Gray*, Sunderland, Durham, draper, July 23 at half-past 10, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; at 11, last ex.—*David Kirby*, Brackley, Northamptonshire, linendraper, July 11 at half-past 11, Court of Bankruptcy, London, aud. ac.; July 18 at half-past 11, div.—*C. Graham*, New Oxford-st., Middlesex, hosier, July 17 at 11, Court of Bankruptcy, London, aud. ac.; July 18 at half-past 1, div.—*W. Couch*, John-st., Fitzroy-square, Middlesex, pianoforte maker, July 17 at 11, Court of Bankruptcy, London, aud. ac.; July 18 at half-past 1, div.—*R. Gudgin*, Cople, Bedfordshire, victualler, July 17 at 11, Court of Bankruptcy, London, aud. ac.—*John Marshall*, Southampton, coal merchant, July 18 at half-past 1, Court of Bankruptcy, London, aud. ac.; July 25 at half-past 1, div.—*David Gideon*, Minories, London, and Uxbridge, Middlesex, clothier, July 16 at 11, Court of Bankruptcy, London, aud. ac.; July 18 at 1, div.—*Richard Pegg*, Brighton, Sussex, wine merchant, July 7 at 12, Court of Bankruptcy, London, aud. ac.—*John Moores* the younger, Aylesbury, Buckinghamshire, draper, July 18 at 12, Court of Bankruptcy, London, aud. ac.—*Matthew Rowlandson* and *Lancelot Rowlandson*, Whitechapel-road, Middlesex, drapers, July 12 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Wm. Horror*, Southampton, Hampshire, upholsterer, July 7 at 12, Court of Bankruptcy, London, aud. ac.—*Robert Sheppard*, Norwich, commission agent, July 12 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Jackson*, Orchard-st., Portman-square, Middlesex, painter, July 8 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Richd. Woolfall*, Warrington, Lancashire, butcher, July 10 at 11, District Court of Bankruptcy, Manchester, aud. ac.; July 18 at 11, div.—*Edward Briggs*, Castleton Mills, near Rochdale, Lancashire, hatter, July 10 at 11, District Court of Bankruptcy, Manchester, aud. ac.; July 18 at 11, div.—*John Watson* and *Robert Young Watson*, Sunderland, ship builders, July 23 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *J. Watson*.—*John Oram*, Chard, Somersetshire, lace manufacturer, July 22 at 11, District Court of Bankruptcy, Exeter, aud. ac.; July 23 at 11, div.—*George Lea*, Eccleston Coal-wharf, Upper Belgrave-place, Pimlico, Middlesex, and Belgrave-cottage, Nunhead-lane, Peckham-rye, Surrey, coal merchant, July 18 at half-past 1, Court of Bankruptcy, London, div.—*James Holland* and *Edward Warden*, Preston, Lancashire, tallowchandlers, July 9 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Woodin, Matilda-street, Islington, Middlesex, upholsterer, July 18 at 11, Court of Bankruptcy, London.—*Andrew Eve*, Charlotte-street, Fitzroy-square, Middlesex, turner, July 19 at 1, Court of Bankruptcy, London.—*George Henry Bradberry* and *George Rice Lowe*, Great Tower-street, London, flour factors, July 19 at 11, Court of Bankruptcy, London.—*Alfred Moore*, South-wharf, South-wharf-road, Paddington, Middlesex, stone merchant, July 19 at 12, Court of Bankruptcy, London.—*Henry Watson* and *John George Hick*, Pimlico Cement works, Elizabeth-bridge-wharf, Pimlico, Middlesex, and Sittingbourne, Kent, cement manufacturers, July 19 at half-past 1, Court of Bankruptcy, London.—*William Francis Harris*, Friday-street, Cheapside, London, Manchester warehouseman, July 19 at 1, Court of Bankruptcy, London.—*Thomas Hatfield* and *Robert Hatfield*, Clapham, Surrey, plumbers, July 22 at 11, Court of Bankruptcy, London.—*John Powlesland*, South Tawton, Devonshire, dealer in seeds, July 23 at 11, District Court of Bankruptcy, Exeter.—*James Radley*, Oldham, Lancashire, cotton spinner, July 18

at 12, District Court of Bankruptcy, Manchester.—*John Corker Whittaker*, Manchester, licensed victualler, July 18 at 12, District Court of Bankruptcy, Manchester.—*James Holden*, Salford, Lancashire, licensed victualler, July 21 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Robert Ellison Gorst, Rock-ferry, Cheshire, apothecary.—*John Gracie*, Bristol, and Dudley, Worcestershire, woollen-draper.—*Herbert Tewson Baines*, Camden-road, Camdentown, Middlesex, linendraper.—*Henry Bright*, Maldon, Essex, corn merchant.—*George Binion Cooper*, Drury-lane, Middlesex, ironfounder.—*Ralph Sheraton*, Lanton, Nottinghamshire, cabinet maker.—*James Flower*, Sheffield, Yorkshire, ironfounder.

PARTNERSHIP DISSOLVED.

George Joseph Twiss and *Joseph Edward Marshall*, Cambridge, attorneys and solicitors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Leach, West Derby, Lancashire, shoemaker, July 1 at 9, County Court of Lancashire, at Liverpool.—*Edward Hayland*, Liverpool, bookkeeper, July 1 at 9, County Court of Lancashire, at Liverpool.—*Michael O'Brien*, Liverpool, provision dealer, July 1 at 9, County Court of Lancashire, at Liverpool.—*John Dobson*, Morpeth, Northumberland, shoemaker, July 18 at 10, County Court of Northumberland, at Morpeth.—*John Lockey*, Hovingham, near New Malton, Yorkshire, farmer, July 11 at half-past 10, County Court of Yorkshire, at New Malton.—*Silvester Wherly*, Bishop Auckland, Durham, watchmaker, July 18 at 10, County Court of Durham, at Bishop Auckland.—*Henry Conway*, Swansea, Glamorganshire, licensed victualler, July 15 at 10, County Court of Glamorganshire, at Swansea.—*Thomas Carter*, Otterton, Devonshire, farmer, July 12 at 10, County Court of Devonshire, at Exeter.—*Henry Francis Hunt*, Exeter, chairmaker, July 12 at 10, County Court of Devonshire, at Exeter.—*Charles Flanagan*, Swansea, Glamorganshire, baker, July 15 at 10, County Court of Glamorganshire, at Swansea.—*T. Jones*, Wimborne Minster, Dorsetshire, farm servant, July 14 at 12, County Court of Dorsetshire, at Wimborne Minster.—*John S. Blackmore*, New Windsor, Berkshire, coachmaker, July 4 at 10, County Court of Berkshire, at Windsor.—*Jas. Goodfellow*, Colchester, Essex, whitesmith, July 14 at 12, County Court of Essex, at Colchester.—*Alice Fletcher*, Rochdale, Lancashire, licensed victualler, July 17 at 12, County Court of Lancashire, at Rochdale.—*W. D. Tracy*, Colchester, Essex, baker, July 14 at 12, County Court of Essex, at Colchester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 11 at 11, before the CHIEF COMMISSIONER.

Mark T. Wade, Canal-terrace, Peter-street, Islington, Middlesex, zinc worker.—*J. H. Kirkness*, Weston-terrace, Weston-street, Snow's-fields, Bermondsey, Surrey, commercial traveller.

July 11 at 10, before Mr. Commissioner LAW.

Fred. W. Steer, Lower-marsh, Lambeth, Surrey, hosier.

July 12 at 11, before Mr. Commissioner PHILLIPS.

H. Burrage the elder, Plumber's-row, City-road, Middlesex, zinc worker.—*Eliza Mills*, Minories, City, tobacconist.—*James Alexander*, Alfred-road, Harrow-road, Middlesex, cabriolet driver.—*H. E. Bradbury*, Carlton-square, New-cross, Hatcham, Surrey, attorney's clerk.

July 14 at 10, before Mr. Commissioner LAW.

Michael Quinn, Susannah-cottages, Courland-grove, Stockwell, Surrey, in no business.—*H. F. Matthews*, St. George's-road, Prospect-place, Southwark, Surrey, brown ware dealer.

July 14 at 11, before Mr. Commissioner PHILLIPS.

Wm. G. Quedsted, Bill-street, Edgeware-road, St. Maryle-

bone, Middlesex, cabriolet driver.—*James Morrison*, Queen's-road, Chelsea, Middlesex, baker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 11 at 11, before the CHIEF COMMISSIONER.

Thos. Rattray, Bedford-place, Commercial-road, Stepney, Middlesex, foreman to an ironmonger.—*William Fairchild*, Church-place, Paddington-green, Paddington, Middlesex, veterinary surgeon.—*James Davis*, Unicorn-yard, Blackman-street, Southwark, Surrey, horse dealer.

July 11 at 10, before Mr. Commissioner LAW.

George Cooper, Thames-street, Kingston, Surrey, working cutler.

July 12 at 11, before Mr. Commissioner PHILLIPS.

Abraham Edward Davis, Mitre-street, Aldgate, London, shoemaker.

Adjourned.

Benj. Howlett, Smith-terrace, King's-road, Chelsea, Middlesex, engineer.

July 14 at 10, before Mr. Commissioner LAW.

James Fisher, Sloane-street, Chelsea, Middlesex, confectioner.—*Wm. John Taylor*, Harlow, Essex, clerk to a draper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Oxfordshire, at OXFORD, July 12.

R. T. C. Yates, Oxford, undergraduate.—*Chas. E. Hill*, Witney, shoemaker.

At the County Court of Staffordshire, at STAFFORD, July 14 at 10.

Henry Walker, Collingwood, Tatenhill, farmer.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—*George Treweek Scobell*, Esq., R.N., of High Littleton, Somersetshire, for the city of Bath, in the room of Anthony Ashley Cooper, commonly called Lord Ashley, now Earl of Shaftesbury, called up to the House of Peers.

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LONDON, JULY 5, 1851.

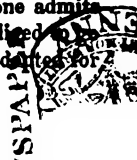
EVERY suggestion that comes from a lawyer is, as a matter of course, attributed to self-interest, if it happens that it is a suggestion of something which does or may contribute to the advantage of the Profession; it being always assumed that the interests of lawyers and those of the public are opposite. The Attorney-General has suggested in Parliament, that in the county courts, in causes between 20*l.* and 50*l.*, the Bar and attorneys shall have the same privileges that they have in the superior courts. The result of which will be, simply that suitors may employ an attorney to do those things which are requisite to bring a case into court, and may either be their own advocates in court, or, through their attorneys, employ a barrister for that portion of the case. In other words, it will prevent them from employing attorneys as advocates. The question is not free from difficulty; but the difficulty of concluding that barristers and attorneys ought not to have the same relative privileges and positions in county courts that they have in the superior courts, is at least as great as the difficulty of concluding that they ought. At any rate, if the pre-audience of the Bar is to be abolished in courts which do absorb a large portion of the common-law business of the country, and will absorb more, some rules for the government of their own body must be adopted by the common-law Bar, very different from those at present adopted.

We are far from being convinced that the suggestion made in an influential paper, that the Bar should rescind the rule of etiquette which forbids them to see a client directly, is not sound. That rule is a rule of etiquette, but it is also a rule intended and operating for the convenience of all parties, so long as the privileges of all parties are what they now are. If the barrister has pre-audience, if his exclusive or principal business is to be that of an advocate, it becomes necessary for him to qualify himself for its discharge, by applying his whole time to the perusal and argumentation of his cases; and it is convenient that, before the cases come into his hands, they should be well sifted and prepared

by others. On the other hand, it is convenient that those who make it their business to prepare cases for court, should attend to that business exclusively; and if that division of labour, for it is no more, does conduce to the efficient despatch of business—if the business of conducting causes can be conveniently divided into two classes, to one of which one set of men attend specially, and to the other another class of men, then it is convenient that they should, by mutual regulations, abstain from meddling with the avocations of each other—a meddling from which only confusion and uncertainty would arise.

The rule of etiquette is the consequence, not the cause, of the classification, and is, in the superior courts, a rule, as much for the interest and convenience of the public as for both branches of the Profession. But *cessante ratio cessat lex*. If for any reason, in any kind of court, it is not for the convenience of the suitors that business should be classified—if it is not for their convenience that they should be compelled to conduct their cases in court through the agency of men of a particular class, then of course, since courts are made for suitors and not for the Profession, they must have their way.

But, then, justice must not be one-sided, nor free trade a practical protection. If the public is to be practically free to choose its own forensic servants, it ought not to be practically confined to attorneys for advocates, by a rule which excludes barristers from seeing clients, any more than it should be confined to barristers, by a rule which excludes attorneys from acting as advocates. For if it be inconvenient that the suitor should be prevented from saving the expense of a barrister's brief and fee, if he wishes to be economical, it must be just as inconvenient that he should not be enabled to have a barrister for an advocate without the expense of an intervening attorney. That is to say, he may like Mr. A., an attorney, best, to get up his case, and he may like Mr. B., a barrister, best, to speak upon it. Why, if his interest is, as every one admits, it ought to be, the rule—why is he to be obliged to do without Mr. B., by reason of an etiquette, adopted for



mutual convenience in the old state of things, but which in the new state of things is all one-sided? Barristers, of course, of the present school, do not personally like the notion of seeing their clients directly, but that is a false delicacy, which they will probably have to get over if the present practice of the county courts continues. Nor is the rule in itself at all unusual, or of great antiquity. Formerly, even in the memory of living men, counsel saw their clients directly in conference to advise them; to this day counsel may and do draw wills for the client, without the intervention of a solicitor, for the convenience of the client: and not only in America, but most of the civilised continental states, what we here should term the junior Bar, may and frequently do act both as attorneys and counsel in the conduct of causes.

We are not to be understood as advocating the change; we think that the old relation of counsel and attorney is the most convenient, and that in the county courts, in cases above 20*l.*, the public, as well as the Profession, would ultimately find it the most conducive to the despatch of business. But if they do not, then we apprehend that it will become almost an inevitable consequence that counsel at the common-law bar should, as regards the business of county courts, abrogate the rule of etiquette properly maintained in the superior courts, and personally receive instructions from their clients.

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Concise Precedents in Modern Conveyancing, with Practical and Explanatory Notes. By WILLIAM HUGHES, Esq., Barrister-at-Law, Author of "The Practice of Sales," "Practice of Mortgages," &c.

[Crockford.]

THIS is the same Mr. Hughes who in the year 1840 brought into the market a book intitled "A Practical Treatise of the Law relative to the Sale and Conveyance of Real Property," (reviewed in 4 Jur. 1074). The substance of that book is still to be found in the place from which it was taken—Sir E. Sugden's well-known treatise; but the book itself is no longer extant, having been, we presume, delivered up "to be damasked," in accordance with the provisions of the acts for the protection of literary property from piracy. (See *Sweet v. Cater*, 5 Jur. 68). How or where Mr. Hughes has obtained the materials for his present publication we do not know, but it is to be hoped that he has profited by experience, and has either kept his hands altogether from the property of others, or has confined himself to that which is not worth protecting. The quality of the result is consistent with either supposition. The disorderly collocation of the precedents does not say much for Mr. Hughes's progress in the habits of regular industry. Precedent No. 1 is conditions of sale; No. 2, an agreement for sale; Nos. 3 to 16, purchase deeds; Nos. 17 to 28, mortgages; Nos. 29 and 30, agreements for sale; No. 31, a purchase deed; No. 32, a lease; No. 33, an assignment of a lease; No. 34, a mortgage of leaseholds; No. 35, a conveyance of tithes; No. 36, a mortgage; No. 37, a lease; Nos. 38 to 43, mortgage deeds; Nos. 44 and 45, purchase deeds; No. 46, a mortgage deed; then come some disentailing deeds; then some purchase deeds; then a mortgage; then a marriage settlement; then two mortgages; then settlements and mortgages alternately, and so on.

But Mr. Hughes is probably of opinion that he has

bestowed quite as much labour on the arrangement of his matter as it is worth, and in this particular we shall not quarrel with his judgment. But we cannot pass his first precedent of a purchase deed (No. 16) without asking whether a *concoise* conveyance ought to contain *all* of the following words:—

"Together with all and singular houses, outhouses, edifices, buildings, barns, stables, yards, gardens, orchards, ways, paths, passages, waters, water-courses, sewers, gutters, drains, timber and other trees, woods, underwoods, and the ground soil thereof, commons, common of pasture and of turbarry, and all other commonable rights whatsoever, hedges, ditches, fences, mounds, bounds, liberties, easements, rights, members, and appurtenances to the said hereditaments and premises belonging, or usually held, occupied, or enjoyed therewith."

In a note to this concise clause Mr. Hughes says—

"There is no actual necessity for inserting general words in deeds, though it has been the usual practice to do so. By the stat. 8 & 9 Vict. c. 119, but which is only explanatory of the pre-existing law, it is expressly provided, that in every deed made according to the form of the first schedule in that act, unless any exception shall be specially made therein, shall be held to include all houses, outhouses, edifices, &c. Previously to the above enactment, the practice of omitting the reversion clause had become very general," &c.

The act here referred to is Lord Brougham's once notorious, but now forgotten, "Act to facilitate the Conveyance of Real Property," with a schedule of clauses, expressing one thing and declared to mean another. Mr. Hughes evidently supposes that the act has some operation on the law and practice of conveyancing generally; but we are happy that we can affirm that it is not explanatory of the pre-existing law or of anything else, but is, to all intents and purposes, a dead letter.

No. 6 is a precedent of a conveyance by trustees selling under an absolute trust for sale in a will, from the perusal of which a very young student would rise with some very strange notions. The purchase money is by the will directed to be held by the trustees upon certain trusts; but the heir, who is made a party, covenants for the title, &c.; without any explanation of the reason; and, still more gratuitously, the trustees enter into absolute covenants for the production of the title-deeds—making no provision for the next event in the performance of their trust—the sale of the remainder of the estate, and the delivery of the deeds to the largest purchaser. A subsequent page contains a general form of a covenant for the production of deeds, but there is no hint that it may be proper, in some cases at least, to enable the covenantor to relieve himself from further liability when he delivers the deeds to a purchaser, by procuring the latter to enter into a similar covenant.

Where several part owners execute a conveyance to a purchaser, and particularly when some of the owners are married women, some nicety is required in framing the covenants for title, &c., so as at once concisely and accurately to limit the liability of each covenantor to the share to which he or his wife is entitled, and the acts of the ancestor or testator in respect of that share.

At p. 44, in a conveyance by three coparceners, Mr. Hughes makes two, who are unmarried, and the husband of the third, covenant, "*jointly and severally*," that "notwithstanding any act done or permitted by them, or either of them, or any of their ancestors, now the said [*vendors*], or some or one of them, now have in themselves, himself, or herself, good right" &c. With equal accuracy he excludes from the description of the persons to execute further assurances,

those who may claim under the ancestor, though not under the vendors.

At p. 32 we have, in a note of sixteen lines, the usual elementary information, that conveyances by married women, which were formerly effected by fine, are now made by acknowledged deeds; and at p. 35 the same thing is said in twenty-one lines; and these are styled in the margin, "Practical Observations."

We have said quite enough to excuse us from taking any further notice of Mr. Hughes's Concise Precedents.

The Law relating to Master and Servant, comprising Domestic and Menial Servants and Clerks, Husbandmen, and Persons employed in the different Manufactures; and the principal Statutes relating to Workmen, the Settlement of Disputes, Tickets of Work, Limitation of Labour, Payment of Wages, School Attendance of Children, &c.; including the new Factory Act, 13 & 14 Vict. c. 64; with general Observations on all the Cases to the present Time, and a copious Index. By C. B. HERTSLET, Esq., of the Middle Temple, Barrister-at-Law. 12mo., pp. 300.

A good treatise on the Law of Master and Servant is much wanted, and we are sorry that Mr. Hertslet has not supplied the want. With the help of Mr. Stamp's Index to the Statute Law of England, it is easy to make a large book by printing all the statutes now in force; and Harrison's Digest furnishes the materials for a garnish of citations, with little trouble to the compiler. But Mr. Hertslet, even if he has taken the precaution of consulting those two very accurate sources of information, has used them with very little success; for though the collection of statutes is tolerably complete, it is not arranged in a convenient form for reference, and scarcely any light is thrown, in the shape of commentary, on the many obscurities and difficulties with which the statutes abound.

If, however, Mr. Hertslet had fairly intitled his book "The Statute Law relating to Masters and Servants," &c., or "A Collection of Statutes relating to Master and Servant," &c., we should have had little to say in the way of complaint. But the title which he has adopted obliges us to say, that the book has no pretensions to be called a treatise on the Law of Master and Servant. With the exception of twelve introductory pages on the subjects of hiring, and the relative duties of master and servant, the whole of the book consists of statutes, with a few references to subsequent enactments and decisions. The introductory matter is meagre in the extreme. Thus, all the information that is given as to contracts within the Statute of Frauds is conveyed in the following words:—"As to what is a 'contract for a year within the statute, see *Shelling v. Huntingfield*, (1 C. M. & R. 20)." So, on the important questions of whether the hiring is yearly or not, and what justifies a dismissal, all we have is—"For 'what amounts to a yearly hiring, see *Fawcett v. Cash*, (5 B. & Ad. 904); *Williams v. Byrne*, (2 Nev. & P. 139); and *Ridgway v. The Hungerford Market Company*, (3 Ad. & El. 171). For what is a sufficient 'ground of dismissal without warning, see *Atkin v. Acton*, (4 Car. & P. 208); *Lacey v. Osbaldeston*, (8 Car. & P. 80); *Crawford v. Reid*, (Shaw's P. L. 241; Cald. 11, 14); and *Filleul v. Armstrong*, (2 Nev. & P. 406). Moral misconduct, wilful disobedience, or habitual neglect must be proved, to justify the immediate discharge of a yearly servant. (*Callow v. Brouncker*, 4 Car. & P. 518; and see *Woolley v. Steinix*, 8 L. J., Ex., 344)." This is mere book-making. In a treatise we expect to find a statement of the effect of the authorities, not a bare reference to them. The case of *Rez v. Dodham*, (Burr. S. C. 653), and the other important settlement cases, in which the question of

what amounts to a yearly hiring was so often considered, are not cited. (*Holcroft v. Barber*, 1 Car. & K. 410; and see 6 Man. & G. 935). *Priestley v. Fowler*, (3 M. & W. 6); *Read v. Dunsmore*, (9 Car. & P. 588); *Turner v. Mason*, (14 M. & W. 112); *Lilley v. Elwin*, (12 Jur. 623); *Cussons v. Skinner*, (11 M. & W. 161); *Rez v. Islip*, (1 Str. 423), &c.,—all important cases,—are not referred to.

The Book of Almanacs, with an Index of References, by which the Almanac may be found for every Year, whether in Old Style or New, from any Epoch, Ancient or Modern, up to A.D. 2000, with Means of finding the Date of any New or Full Moon, from B.C. 2000 to A.D. 2000. Compiled by AUGUSTUS DE MORRAN, Sec. R. A. S., F. C. P. S., of Trinity College, Cambridge, Professor of Mathematics in University College, London. Long 4to., pp. 109.

[Taylor, Walton, & Maberly.]

THE utility of a work of this kind in legal and historical investigations does not require to be enlarged on: as the author observes, it supplies the place of the old almanac, which is never at hand when wanted; of the older almanac, which never was at hand; of the future almanac, which is not yet at hand; and of the universal almanac in every shape. It does this, too, like everything else devised by the eminently practical mind of the author, in such a manner as to give the least possible trouble to those who make use of it, and especially to avoid the danger of mistakes in that use. There are no complicated tables to be searched, or calculations to be made, but every possible almanac is printed in extenso, and indexed by a very simple contrivance. The precautions which have been taken by the author to avoid error in compiling and printing the work are explained in the Preface. In some details errors which occasionally creep into the current almanacs have been avoided, in consequence of the author having the whole system and series before him at once. All the saints' days of the English church, and others to be found in the middle age almanacs, and the law and university terms, are given in the almanacs. In an Introduction, the use of the golden and dominical letters, &c., the method of solving various chronological problems, the Roman and Mahometan calendars, the law and university terms, are explained.

London Gazettes.

TUESDAY, JULY 1.

BANKRUPTS.

OWEN SPARROW, Aldgate High-street, Aldgate, London, grocer and tea dealer, July 11 at half-past 1, and Aug. 13 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Surr & Gribble, 80, Lombard-street.—Petition dated June 27.

FRANCIS WOOLHOUSE SAUNDERS, Thame, Oxfordshire, harness maker, milliner, and dealer in perfumery and ladies' boots and shoes, dealer and chapman, July 12 at 11, and Aug. 19 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cooke, 7, Lincoln's-inn-fields.—Petition dated July 30.

LLEWELLYN THOMAS, St. Philip and Jacob, Bristol, grocer, July 14 and Aug. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bigg, Bristol.—Petition filed June 28.

JAMES HERVEY, Halifax, Yorkshire, stock and share broker, dealer and chapman, July 17 and Aug. 28 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Parker & Adam, Halifax; Courtenay & Compton, Leeds.—Petition dated June 23.

MEETINGS.

John Harris, Buckingham, shoemaker, July 12 at 11, Court of Bankruptcy, London, aud. ac.—*William T. Lee*, Heath, near Wakefield, Yorkshire, merchant, July 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.; July 22 at 11, first and fin. div.—*Abraham Chadwick*, Burnedge, Rochdale, and Fair View, near Littleborough, Lancashire, cotton spinner, July 17 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 24 at 12, div.—*Freik. Ricketts and Trevenen James*, Moorgate-st., London, merchants, July 23 at 1, Court of Bankruptcy, London, div. sep. est. of *Fredk. Ricketts*.—*Samuel Adams, Wm. B. Adams*, and *Gerard Ralston*, Bow, Middlesex, engineers, July 23 at 11, Court of Bankruptcy, London, div. sep. est. of *Samuel Adams and Wm. B. Adams*.—*Henry Lister*, Far Newland, St. Martin, Lincolnshire, miller, July 23 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Thos. Barnes Vaughan*, Poultoncum-Spittal, Cheshire, farmer, July 22 at 11, District Court of Bankruptcy, Liverpool, div.—*Joseph J. M. M. Scott*, Liverpool, wine merchant, July 22 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting:

Joseph Cerrito, Mincing-lane, London, merchant, July 22 at 12, Court of Bankruptcy, London.—*Arthur Y. Barrett*, Horncastle, Lincolnshire, engineer, July 23 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Robert Alexander*, Maesteg, Glamorganshire, grocer, July 23 at 11, District Court of Bankruptcy, Bristol.—*Abraham Chadwick*, Burnedge, Rochdale, and Fair View, near Littleborough, Lancashire, cotton spinner, July 24 at 2, District Court of Bankruptcy, Manchester.—*James Emery*, Preston, Lancashire, innkeeper, July 24 at 11, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

James Burnham, Edgeware-road, Middlesex, silk mercer.—*John De Levante*, Wood-st., London, shirt maker.—*S. A. France*, Lambeth-walk, Surrey, clothier.—*Thomas Britten*, Suffolk-lane, Cannon-street, London, wine merchant.—*John Pearson*, Hollies, Kingswinford, Staffordshire, maltster.—*Joseph Mann*, Warwick, victualler.

PARTNERSHIP DISSOLVED.

Samuel Staniland and Wm. Long, Bouverie-st., London, attornies-at-law and solicitors.

SCOTCH SEQUESTRATIONS.

Walter Hunter, Bonney Rigg, Edinburgh, grocer.—*John White*, deceased, Cumbernauld, Dumbartonshire, mason.—*John Meiklejohn*, deceased, Edinburgh, writer to the signet.—*Peter Cassidy*, Dundee, furniture dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Daniel Culmer, Walmer, Kent, butler, July 7 at 11, County Court of Kent, at Deal.—*James Gorbull*, Salford, Lancashire, blacksmith, July 9 at 12, County Court of Lancashire, at Salford.—*Richard Aynes Phillips*, Pendleton, accountant, July 9 at 12, County Court of Lancashire, at Salford.—*T. Smith*, Cheltenham, Gloucestershire, painter, July 29 at 10, County Court of Gloucestershire, at Cheltenham.—*Henry Morgan*, Rhymney, Gellygaer, Glamorganshire, mason, July 11 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*G. N. Summers*, Swansea, Glamorganshire, cabinet maker, July 15 at 10, County Court of Glamorganshire, at Swansea.—*John Thomas*, Merthyr Tydvil, Glamorganshire, potato merchant's assistant, July 11 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Wm. Tomney*, Bewdley, Worcestershire, miller, July 16 at 9, County Court of Worcestershire, at Kidderminster.—*Henry Coleman*, Coventry, Warwickshire, white-smith, July 16 at 10, County Court of Warwickshire, at Coventry.—*J. Powney*, Coventry, Warwickshire, ribbon weaver, July 16 at 10, County Court of Warwickshire, at Coventry.—*Job Seamore*, Hillend, Collett's-green, Powick, Worcestershire, builder, July 11 at 11, County Court of Worcestershire, at Upton-upon-Severn.—*James Bailey*, Radford, Coventry, Warwickshire, cabinet maker, July 16 at 10, County Court of

Warwickshire, at Coventry.—*Joseph Harle*, Chester-le-street, Durham, out of business, July 24 at 10, County Court of Durham, at Durham.—*John Miller*, Bishopwearmouth, Durham, builder, July 23 at 10, County Court of Durham, at Sunderland.—*John H. Walker*, Seaham Harbour, Durham, brown earthenware maker, July 24 at 10, County Court of Durham, at Durham.—*Joseph Aylife*, Bath, Somersetshire, out of employment, July 19 at 11, County Court of Somersetshire, at Bath.—*Thomas Dolling*, Bath, Somersetshire, ostler, July 5 at 11, County Court of Somersetshire, at Bath.—*C. E. Eyre*, widow, Leamington-priors, Warwickshire, out of business, July 15 at 10, County Court of Warwickshire, at Warwick.—*Wm. Handley*, Kenilworth, Warwickshire, out of business, July 15 at 10, County Court of Warwickshire, at Warwick.—*George Handley*, Emscote, Warwickshire, bookkeeper, July 15 at 10, County Court of Warwickshire, at Warwick.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 16 at 10, before the CHIEF COMMISSIONER.

Joseph B. Trigg, Bretton-terrace, King's-road, Chelsea, Middlesex, coal merchant.—*Henry Easto*, Union-street, Borough, Southwark, Surrey, egg merchant.—*John Coates*, Conhalt-place, Lounborough-road, Brixton, Surrey, gardener.—*Wm. Roberts*, Keen's-row, Walworth-road, Surrey, shoemaker.—*Jas. Pearce*, Bermondsey, Southwark, Surrey, tripe dresser.

July 16 at 10, before Mr. Commissioner LAW.

Daniel Culverhouse, Bunhill-row, St. Luke's, Middlesex, baker.—*Henry Oppenheim*, Albion-terrace, Albion-square, Dalston, West Hackney, Middlesex, merchant's clerk.—*John Goodge*, Little St. Andrew's-street, Seven-dials, Middlesex, furniture draper.

Saturday, June 28.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Frederick Fenwick, Stetchworth, Cambridgeshire, farmer, No. 73,527 C.; *Stephen Piper*, assignee.—*Isaac Howard*, Holme, near Holmfirth, Yorkshire, cloth manufacturer, No. 73,658 C.; *John Sykes*, assignee.—*Thomas Eaves*, Hulme, Lancashire, tailor, No. 73,772 C.; *George Peacock*, Beinbridge, assignee.—*Thomas Lane Robert Pierce*, Aldersgate-st., London, out of employ, No. 73,779 T.; *John Shindler*, assignee.

Saturday, June 28.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions.)

John Thomas Austin, Wardour-street, Soho, Middlesex, fringe manufacturer: in the Debtors Prison for London and Middlesex.—*Leonard Just*, Aylesbury-st., Clerkenwell, Middlesex, watchmaker: in the Debtors Prison for London and Middlesex.—*John Missenden*, Caledonian-st., King's-cross, Islington, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.—*Josiah Harrison*, South-terrace, Willow-walk, Bermondsey, Surrey, leather seller: in the Queen's Prison.—*Wm. Palmer*, Charington-street, Oakley-square, Somers-town, Middlesex, electrotypist: in the Debtors Prison for London and Middlesex.—*Joseph Jackson*, Essex-place, Mile-end-road, Middlesex, superannuated clerk in the Bank of England: in the Debtors Prison for London and Middlesex.—*Richard Saul*, Blackfriars-road, Surrey, meat salesman: in the Debtors Prison for London and Middlesex.—*Wm. Job White*, King-st., Holborn, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*Richard Farnham*, High-st., Shoreditch, Middlesex, assistant to a beer house keeper: in the Debtors Prison for London and Middlesex.—*Charles Westlake*, Newport-court, Newport-market, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*John Gordon Cameron*, America-square, Minories, London, master mariner: in the Debtors Prison for London and Middlesex.—*Thomas Charles Cheesmere Wick*, Gray's-inn-lane, Middlesex, ivory turner: in the Debtors Prison for London and Middlesex.—*Francis Robinson*, Skin-

ner-street, Bishopsgate-street, London, butcher: in the Debtors Prison for London and Middlesex.—*John Charles Seipp*, Welclose-square, Goodman's-fields, Middlesex, foreign merchant: in the Debtors Prison for London and Middlesex.—*James Simpson*, Pollard's-row, Bethnal-green-road, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Joseph Gunning*, Upper Holloway, Middlesex, law writer: in the Debtors Prison for London and Middlesex.—*James Edmund Wood*, New-square, Minories, London, engraver: in the Debtors Prison for London and Middlesex.—*Robert Collinson*, Newman-street, Oxford-st., Middlesex, upholsterer: in the Debtors Prison for London and Middlesex.—*Isaac Harris*, Rose-cottage, Peckham-rye, Surrey, out of business: in the Queen's Prison.—*Andrew Smith*, Garden-row, London-road, Southwark, Surrey, cab proprietor: in the Debtors Prison for London and Middlesex.—*Wm. Edw. Follet*, Chenies-place, Somers-town, Middlesex, carver: in the Queen's Prison.—*William Squire*, High Holborn, Middlesex, pianoforte maker: in the Debtors Prison for London and Middlesex.—*Samuel Herbert*, Kemerton, Gloucester, mealman: in the Gaol of Gloucester.—*W. Moore*, Colburn, near Catterick, Yorkshire, farmer: in the Gaol of York.—*Jas. Robson*, Ferryhill Station, near Ferryhill, Durham, plate layer: in the Gaol of Durham.—*H. Nutt*, Kingston-upon-Hull, hair seat manufacturer: in the Gaol of Kingston-upon-Hull.—*Joseph Pearson*, Staleybridge, Cheshire, grocer: in the Gaol of Lancaster.—*Thos. Swinburn*, Hedley, Ovingham, Northumberland, grocer: in the Gaol of Morpeth.—*J. Widdall*, Oldham, Lancashire, licensed victualler: in the Gaol of Lancaster.—*J. W. Brown*, Cawsand, Cornwall, commander in her Majesty's navy: in the Gaol of St. Thomas the Apostle.—*S. Bearcroft*, Gloucester, smith: in the Gaol of Gloucester.—*John Owens*, Merthyr Tydvil, Glamorganshire, green-grocer: in the Gaol of Cardiff.—*Elizabeth Shapley*, Harford, Ilington, Devonshire, shopkeeper: in the Gaol of St. Thomas the Apostle.—*Mary Shapley*, Harford, Ilington, Devonshire, shopkeeper: in the Gaol of St. Thomas the Apostle.—*John Thomas*, Pontrhydyden, Michaelstone-super-Avon, Glamorganshire, grocer: in the Gaol of Cardiff.—*John Ladeveze*, Plaistow Trapaud, Erith, Kent, lieutenant on half-pay in the East India Company's service: in the Gaol of Maidstone.—*John Jeffery*, Chard, Somersetshire, out of business: in the Gaol of Wilton.—*Walter Morgan*, Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—*John Robins*, Warren, Aileburton, near Lydney, Gloucestershire, groom: in the Gaol of Gloucester.—*George Hudson Brown*, Bradford, Yorkshire, woolstapler: in the Gaol of York.—*John George Nicholson*, Woolwich, Kent, cheesemonger: in the Gaol of Maidstone.—*Frederick Reeves Barratt*, West Deeping, near Market Deeping, Lincolnshire, teacher of music: in the Gaol of Lincoln.—*William Harrison*, Hartlepool, Durham, draper: in the Gaol of Durham.—*Thomas Williams*, Chorlton-upon-Medlock, Manchester, assistant to a grocer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portynyl-street, to be examined and dealt with according to the Statute:—

July 16 at 10, before Mr. Commissioner LAW.

Frederick Gilbert, Phoenix-place, Phoenix-street, Spital-fields, Middlesex, out of business.—*Colin M'Callum*, Sydney-square, Mile-end, Middlesex, shipbroker.—*James Black Thomson*, Leadenhall-street, London, baker.

July 17 at 11, before Mr. Commissioner PHILLIPS.

Frederick Sparrow, Skinner-street, Snow-hill, London, wine merchant.

July 15 at 11, before the CHIEF COMMISSIONER.

Moss Davids, Earl-street, New Bridge-street, Blackfriars, London, greengrocer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, July 16 at 10.

William Henshaw, Loughborough, Leicestershire, cooper.

At the County Court of Staffordshire, at STAFFORD, July 14 at 10.

Samuel Nicholls, Walsall, carpenter.—*Thomas Biddle*, Rushall, huckster.

At the County Court of Carmarthenshire, at CARMARTHEN, July 15 at 2.

Thomas Williams, Carmarthen, out of business.

At the County Court of Suffolk, at IPSWICH, July 18 at 10.

William Urpeth, Hadleigh, gardener.

At the County Court of Glamorganshire, at CARDIFF, July 18.

David Richards, Merthyr Tydvil, grocer.—*George Thomas*, Michaelstone-super-Avon, grocer.

At the County Court of Herefordshire, at HERFORD, July 17 at 10.

John Bennett, Sutton St. Michael, out of business.

FRIDAY, JULY 4.

BANKRUPTS.

ROBERT GRAY, Edward-street, Hampstead-road, Middlesex, pianoforte maker, July 11 at 12, and Aug. 15 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Moxon, 44, Howland-street, Fitzroy-square.—Petition dated July 1.

JOHN SOLOMON ELLIS, Aldgate, London, tailor, dealer and chapman, July 12 at half-past 11, and Aug. 8 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Overton & Hughes, 25, Old Jewry.—Petition filed June 26.

CHARLES COLLINS and GEORGE TALBOT ROSE, Bewdley, and Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturers, July 15 and Aug. 12 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Boycot & Tudor, Kidderminster.—Petition dated June 21.

TIMOTHY ROSS, Manchester, furniture dealer, (lately carrying on business as a soda manufacturer), July 18 and Aug. 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Taylor, Manchester; Waller, jun., 24, Finsbury-circus, London.—Petition filed June 18.

MEETINGS.

W. Pittfield, Tottington Lower End, Lancashire, bleacher, July 17 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Robt. Thomas Fletcher*, Brentford, Middlesex, money scrivener, July 15 at 1, Court of Bankruptcy, London, ch. ass.—*William L. Wood*, Charles-street, Drury-lane, Middlesex, pianoforte maker, July 23 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Robt. Westmacott*, Stuart's-grove Nursery, Fulham-road, Chelsea, Middlesex, nurseryman, July 25 at 1, Court of Bankruptcy, London, aud. ac.—*Frederick Rickells and Trevenen James*, Moorgate-street, London, merchants, July 17 at half-past 12, Court of Bankruptcy, London, aud. ac. sep. est. of *F. Rickells*.—*Samuel Adams*, *William B. Adams*, and *Gerard Ralston*, Fairfield Works, Bow, Middlesex, engineers, July 17 at 12, Court of Bankruptcy, London, aud. ac.—*John Woodin*, Matilda-street, Islington, upholsterer, July 18 at 11, Court of Bankruptcy, London, aud. ac.—*A. Harris*, Dursley, Gloucestershire, wool broker, July 29 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*James Jolley and Wm. Jackson*, Wigan, Lancashire, acetic acid manufacturers, July 21 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Charles Carr*, Heaton Norris, Stockport, Lancashire, cotton manufacturer, July 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.; July 25 at 12, div.—*C. S. Flood and H. B. Lott*, Honiton, Devonshire, bankers, July 24 at 1, District Court of Bankruptcy, Exeter, aud. ac.; July 31 at 1, div. sep. est. of *Chris. S. Flood*.—*Joseph Boycot*, Kidderminster, Worcestershire, mercer, July 15 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. Hand*, Wolverhampton, Staffordshire, grocer, July 17 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Thomas B. Ferrers and Lecklan J. Mackintosh*, Copthall-court, Throgmorton-street, London, stockbrokers, July 25 at half-past 1, Court of Bankruptcy, London, div. joint est., and div. sep. est. of *T. B. Ferrers*.—*G. Haines*, Northampton, grocer, July 25 at 1, Court of Bankruptcy, London, div.—*W. J. Garrett*, Bath, Somersetshire, grocer, July 31 at 11, District Court of Bankruptcy, Bristol, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Clark, Clarence-place, Camberwell, Surrey, auctioneer,

July 28 at 12, Court of Bankruptcy, London.—*C. Chaplin*, Sudbury, Suffolk, printer, July 26 at 1, Court of Bankruptcy, London.—*James M'Names*, Manchester, manufacturing chemist, July 28 at 12, District Court of Bankruptcy, Manchester.—*James Merrell*, Walcot, Pershore, Worcestershire, cattle dealer, July 31 at 12, District Court of Bankruptcy, Birmingham.—*Isaiah Harper*, Dudley, Worcestershire, builder, July 31 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Wm. G. Shipley, Market-row, Oxford-market, St. Mary-lebone, Middlesex, corn dealer.—*Henry Ward Farrer*, Old Fish-street, London, wine merchant.—*John Nis Harlow*, Ramsgate, Kent, wine merchant.—*Ralph Hills*, Downham, Isle of Ely, Cambridgeshire, grocer.—*Aaron Croxfield*, Ty Mawr, Lanwonno, Glamorganshire, coal miner.—*G. Sayce*, Heywood, Lancashire, grocer.—*William Parkinson*, Coppy Nook, Blackburn, Lancashire, cotton manufacturer.

PARTNERSHIPS DISSOLVED.

Samuel Amory, *T. W. Nelson*, *Marcus Travers*, and *Bertie Williams Wynn*, Throgmorton-street, London, attorneys and solicitors, (under the style or firm of Amory, Nelson, Travers, & Wynn).—*Thomas Foljambé*, *Benjamin Dison*, and *Edwin J. Pickelay*, Wakefield, Yorkshire, attorneys and solicitors, (so far as relates to Thomas Foljambé).

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Bancroft, Bocking, Bingley, Yorkshire, small farmer, July 29 at 1, County Court of Yorkshire, at Keighley.—*Charles Double*, Halstead, Essex, butcher, July 18 at 2, County Court of Essex, at Halstead.—*Ann Grace Knipp*, Halstead, Essex, clothier, July 18 at 2, County Court of Essex, at Halstead.—*Richard Wright*, Thetford, Norfolk, butcher, July 29 at 2, County Court of Norfolk, at Thetford.—*John S. Porter*, Brandon, Suffolk, general dealer in corn, July 23 at 2, County Court of Norfolk, at Thetford.—*Alfred Barritt*, Haulghley, Suffolk, tailor, July 21 at 10, County Court of Suffolk, at Stowmarket.—*George Gosling*, Weybread, Suffolk, carpenter and joiner, July 22 at 9, County Court of Norfolk, at Harleston.—*Richard Walker*, Bury, Lancashire, clogger, July 16 at 11, County Court of Lancashire, at Bury.—*John Allen*, Long Melford, Suffolk, cattle dealer, July 19 at 11, County Court of Suffolk, at Sudbury.—*Joseph Harding*, Ballingdon, Essex, stonemason, July 19 at 11, County Court of Suffolk, at Sudbury.—*Samuel George Francis*, Ipswich, Suffolk, newsagent, July 18 at 10, County Court of Suffolk, at Ipswich.—*Richard Peale*, Whittington, Shropshire, out of business, July 19 at 11, County Court of Shropshire, at Oswestry.—*Evans Jones*, Llanreay, Carnarvonshire, out of business, July 25 at 10, County Court of Carnarvonshire, at Carnarvon.—*Edward Henshaw*, Sawley, Derbyshire, farm servant, July 18 at 11, County Court of Derbyshire, at Derby.—*Charles Butcher*, Woodchurch, Kent, farmer, July 15 at 10, County Court of Kent, at Tenterden.—*Francis Hollands*, Branchley, Kent, schoolmaster, July 14 at 10, County Court of Kent, at Ashford.—*William Fishburn*, Carlisle, Cumberland, bookseller, July 29 at 10, County Court of Cumberland, at Carlisle.—*John Windsor*, Devonport, Devonshire, shoemaker, August 28 at 11, County Court of Devonshire, at East Stonehouse.—*Alfred Harnsworth*, Basingstoke, Southampton, clerk to the London and South-western Railway Company, July 25 at 10, County Court of Hampshire, at Basingstoke.—*Charlotte Aslow*, widow, Benington, Shropshire, out of business, July 15 at 10, County Court of Shropshire, at Shrewsbury.—*William Wilmshurst*, Halstead, Essex, commercial traveller, July 18 at 2, County Court of Essex, at Halstead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 18 at 11, before the CHIEF COMMISSIONER.

Charles Light Bodman, Great James-street, Lisson-grove, Middlesex, coach builder.

July 18 at 10, before Mr. Commissioner LAW.

Luther Yeates, South-terrace, Sutherland-square, Walworth, Surrey, attorney's clerk.

July 19 at 11, before Mr. Commissioner PHILLIPS.

Margaret M'Cube, widow, Tabernacle-walk, Finsbury, Middlesex, cloth cap maker.—*Jacob Gustavus Levy*, Artillery-place West, Chiswell-street, Finsbury, Middlesex, fancy trimming maker.—*Joseph Kerby*, Durham-street, Vauxhall, Surrey, clerk in the superintending resident's office of the General Post-office, St. Martin's-le-Grand, London.—*Frederick Town Fowler*, Craven-buildings, Drury-lane, Middlesex, newspaper reporter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 17 at 10, before Mr. Commissioner LAW.

Adjourned.

John Frederick Archbold, Clarendon-road-villas, Notting-hill, Middlesex, barrister-at-law.

July 18 at 11, before the CHIEF COMMISSIONER.

Charles Cookson Hurry, Sloane-st., Chelsea, Middlesex, out of business.—*Edward Cuswell*, Gray's-inn-lane, Holborn, Middlesex, agent for the sale of books.—*John Chew*, Gardener's-lane, Westminster, Middlesex, out of business.—*Wm. J. Hawes*, Lisson-st., New-road, Middlesex, out of business.—*John Missenden*, Caledonian-st., King's-cross, Middlesex, out of business.—*Joseph Hall*, Terrace, Trinity-square, Tower-hill, City, surgeon.

July 21 at 11, before Mr. Commissioner PHILLIPS.

Wm. Palmer, Charrington-st., Oakley-square, St. Pancras, Middlesex, electrotypist.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, July 18 at 11.

Thos. Hudson, Liverpool, ship broker.—*Richd. Osbourne*, Rochdale, tailor.—*Robert Hopley Dod*, Birkenhead, Cheshire, out of business.—*Peter M'Avoy* the younger, Liverpool, licensed dealer in game.—*Wm. Clarke*, Liverpool, assistant to a butcher.—*John M'Leod*, Esq., Liverpool.—*Richard Cottingham*, Liverpool, bookkeeper.—*George Garner*, Manchester, baker.—*Samuel Ward*, Oldham, grocer.—*Thomas Ash*, St. Leonard Gate, tea dealer.—*Thomas Williams*, Chorlton-upon-Medlock, Manchester, assistant to a grocer.—*Abraham Law*, Chorlton-upon-Medlock, Manchester, out of business.

At the County Court of Devonshire, at EXETER, July 19 at 10.

Henry Thomas, Paignton, mason.—*Joseph Wm. Brown*, Cawsand, Cornwall, commander in her Majesty's Royal Navy, on half-pay.

At the County Court of Glamorganshire, at CARDIFF, July 19 at 10.

John Evans, Dowlais, Merthyr Tydvil, tallow chandler.—*Ebenezer Davies*, Merthyr Tydvil, carpenter.—*Wm. Thomas*, Aberavon, publican.—*Lewis Rees*, Aberavon, near Aberdare, greengrocer.—*Walter Morgan*, Pen-y-darren, Merthyr Tydvil, grocer.—*John Owens*, Merthyr Tydvil, greengrocer.

At the County Court of Northumberland, at MORPETH, July 18 at 10.

Thomas Swinburn, Hedley, Ovingham, grocer.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Henry Augustus Salmon*, of Bristol; *William Lloyd Chandler*, of Tewkesbury, Gloucestershire; *William Waters Heming*, of Banbury, Oxfordshire.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed Edward John Patteson, Gent., of Poulton-in-the-Fylde, Lancashire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the county of Lancaster.

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The Jurist

No. 757—VOL. XV.

JULY 12, 1851.

PRICE 1s.

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LONDON, JULY 12, 1851.

THE jurisdiction of county courts under the first statute relating to them (9 & 10 Vict. c. 95) included, with a few exceptions, "personal actions, where the debt or damage claimed" was not more than 20*l.*, "*whether on balance of account or otherwise*," (sect. 58); and in all actions of contract brought in the superior courts "in which a plaint *might* have been entered" in the county courts, and a verdict was found for the plaintiff for less than 20*l.* &c., he was not to have any costs, (sect. 129). Under these sections it has been decided, that if a debt of more than 20*l.* be reduced below that sum by a *set-off*, the plaintiff is still entitled to costs. (*Woodhams v. Newman*, 7 C.B. 654; 13 Jur., part 1, p. 456; *Bewick v. Capper*, 7 C.B. 669). The grounds of the decision were, that the cause of action was not one for which a plaint might have been entered in the county court, as the sum originally, and before evidence of *set-off*, exceeded 20*l.*; that the words, "claimed on balance of account or otherwise," apply to accounts that have been adjusted and balanced by the parties, or reduced within the prescribed limits by payments; that the amount of the debt "claimed" was above 20*l.*, and that the plaintiff had not the means of knowing, when he made his claim, that the defendant would avail himself of his right of *set-off*. Maule, J., delivering judgment in the former of the above cases, said, "The plaintiff could not have obtained full justice in the county court. If he stated his *whole* claim, it would shew that he was not entitled to sue in the county court. If he entered his plaint for 20*l.* or less, he must abandon the rest of his claim. The defendant could not be compelled to bring forward his counter-claim in the county court, or he might set off his demand to the extent of 20*l.*, leaving the residue to be the subject of a future action in the superior or inferior court, as the case might be; in which case the plaintiff in the former action could not, by *set-off* or otherwise, avail himself of the abandoned

portion of *his* claim." It was agreed that the verdict was the criterion of the amount of the claim, but that the statute was not meant to apply to a demand reduced by *set-off*.

Under the County Court Extension Act, 13 & 14 Vict. c. 61, however, the plaintiff would not, it seems, be entitled to costs if he did not recover more than 20*l.*, although his claim might be reduced only by *set-off*, unless the judge certified at the trial. The 1st section extends the former act to the *recovery* of any debt not exceeding the sum of 50*l.*, (omitting the words "claimed on balance of account or otherwise"): the 11th section deprives the plaintiff of costs in the first instance, unless he "*recover a sum not exceeding 20*l.**:" the 12th section allows the judge to certify, if it appear to him that the cause of action is one for which a plaint could not have been entered in a county court, or that *there was sufficient reason for bringing the action in a superior court*: and the 13th allows the plaintiff to obtain his costs on application to a judge, if he shew to his satisfaction that the case was one over which the Courts had concurrent jurisdiction under sect. 128 of stat. 9 & 10 Vict. c. 95, or for which no plaint could have been entered, or that the cause was removed by *certiorari* *.

If the original claim did not exceed 50*l.*, the reduction by *set-off* would not bring it within the exceptions contained in the 13th section, and therefore the plaintiff could obtain costs only by the certificate of the judge, granted upon the ground that there was sufficient reason for bringing the action in a superior court.

In the two cases above cited, there was clearly a debt due to the defendant, liable to be set off against the claim of the plaintiff; but it is often a difficult question to determine whether a ground for reducing

* The words in this section, that in the specified cases "the court or judge may direct that the plaintiff shall recover his costs," are permissive, not imperative. (*Jones v. Harrison*, 15 Jur., part 1, p. 337).



a debt should be relied upon as a set-off, a payment, or a mere deduction. In the last case it would be admissible in evidence in the superior courts under the general issue. Thus, by agreement between the parties, payment may be made in goods as well as in money; (*Cannan v. Wood*, 2 M. & W. 465; and see, as to allowance between landlord and tenant amounting to payment, *Waller v. Andrews*, 3 M. & W. 312). Where the defendant sought to retain a sum for his labour, in recovering money now claimed from him, it was held to be matter of deduction; and Lord Mansfield said, "This is not in the nature of a cross demand or mutual debt—it is a charge, which makes the sum of money received for the plaintiff's use so much less." (*Dale v. Follett*, 4 Burr. 2133). If it be agreed between a master and servant that the latter shall pay, out of his wages, for all goods lost by his negligence, the value of goods thus lost may, in an action for wages, be deducted therefrom, under the statute, by virtue of the agreement; (*Leloir v. Bristow*, 2 Camp. 134; *Cleworth v. Pickford*, 7 M. & W. 314); but they cannot even be set off in the absence of such agreement. So, if beer, &c. be sold in casks, which are by the original agreement to be allowed for, the value of such casks would not properly be a set-off, but might be deducted from the price of the beer and casks.

A question has been raised, whether a debt reduced by payment into court is within the County Court Acts, so as to deprive the plaintiff of costs. Platt, B., in one case, (*Power v. Jones*, at chambers, reported on another point, 15 Jur., part 1, p. 66), held that it did not. The language of the Extension Act (sect. 11) is, that if the plaintiff "recover a sum not exceeding 20*l.*," he shall have "judgment to recover such sum only, and no costs." The word "recover" has been judicially interpreted to mean a recovery by judgment of the Court; (*Brooks v. Rigby*, 2 Ad. & El. 21); and the Legislature seem to have contemplated, by the above section, judgment for a sum of money, independently of costs. But when money paid into court is taken out, judgment is signed for costs alone. (Reg. Gen., T. T., 1 Viet.)

A claim may be reduced by a plea in abatement as to part, so as to bring it within the County Court Act. (*Hudspeth v. Yarnold*, 19 L. J., C. P., 321).

Connected with the subject which we have been considering is the splitting of a cause of action, and the abandonment of excess above the sum which the county courts have jurisdiction to adjudicate upon. The former is prohibited, but a plaintiff may "abandon the excess," and the judgment of the Court shall be in "full discharge of all demands in respect of such cause of action, and entry of the judgment shall be made accordingly." (9 & 10 Vict. c. 95, s. 63). A mere levying of a plaint, however, for part of a demand, is not, per se, an abandonment of the excess, but there must be an election on the part of the plaintiff expressed to that effect. (*Vines v. Arnold*, 8 C. B. 632; 14 Jur., part 1, p. 350). There the plaintiff, having a demand against the defendant for 17*l.* and 21*l.* 10*s.*, in respect of two several parcels of goods, levied a plaint for the first sum, but did not appear on the day appointed for the hearing; whereupon, the defendant admitting the cause of action, the judge pronounced

judgment for the 17*l.* The plaintiff having afterwards brought an action in a superior court for the 21*l.* 10*s.*, the defendant pleaded the former recovery, averring that the plaintiff had at the hearing abandoned the excess. Upon a traverse of that allegation, proof of the above facts was held not to support the plea. (See also *Brunskill v. Powell*, 1 Pr. Cas. C. P. 550).

As to dividing a "cause of action," these words have been decided to mean cause of one action, and not to limit the plaintiff to an action on one separate contract. The question seems to be, whether there has been a course of dealing evidencing an intention that the whole should terminate in one contract. (See *Vines v. Arnold*, 8 C. B. 637, note (b); *Re Aykroyd*, 1 Exch. 479; *Wood v. Perry*, 3 Exch. 442; *Brunskill v. Powell*, supra; *Wickham v. Lee*, 12 Q. B. 520; *Kington v. Willey*, 14 Jur., part 1, p. 762; and *Edwards v. Rogers*, Id. 91).

THIS week brings before the Courts of Chancery and Common Law a fresh detachment of Queen's counsel, whose appointment has been long expected. We take this opportunity, in this the age of all kinds of suggestions for law reform, to throw out some suggestions upon the mode of appointing Queen's counsel. In point of form, every one knows that they are the Queen's standing counsel, retained by her to be of her counsel in all matters in which she may require their services, and that against her they cannot plead without license; and accordingly the books contain solemn forms of petition, by persons desirous of retaining Queen's counsel against the Crown, for leave for such counsel so to plead. These petitions are not without substance, for they cost the petitioner an official fee of about 10*l.* for two counsel; somewhat less, says Mr. Grant, for one; and somewhat more for three. (2 Grant's Prac. 133). Such is the formal position and dignity of Queen's counsel. But every one knows equally well, that, substantially, the position is one purely of professional rank, by virtue of which its occupant is entitled to certain precedence, engages in certain business, and is unable, by reason of his rank, to undertake certain other classes of business. The rank has been hitherto conferred nominally by the grace of the Crown, and, in point of form, the Queen's pleasure is taken upon the appointment of Queen's counsel. But it is, we believe, understood, that very rare indeed are the instances in which any personal predilection of the Sovereign is supposed to influence the appointments: they are, in effect, the appointments of the Chancellor for the time being.

Now, the grounds of claim entitling counsel to ask for and expect the rank of Queen's counsel, have hitherto been considered, great standing at the bar, combined with great or considerable business; or moderate standing, combined with great business or reputation; and these have been usually considered to be claims not so much entitling the individual to professional promotion by way of reward, as by way of guarantee that those counsel, from among whom the suitors will have to select their leaders, will be qualified to lead with success and distinction; it being assumed that great business behind the bar is a test of capacity to lead within the bar.

Now, these principles of selection have many errors; the principal one of which is, the assumption that success behind the bar is necessarily a test of qualification for success within the bar. As well might it be taken for granted, that being a good first lieutenant of a ship is necessary evidence of fitness to command a fleet. Of course, we do not mean to say that a very inefficient or inexperienced junior is likely to be a very good leader, nor to deny that, in great business behind the bar, a counsel may have the opportunity of acquiring and exhibiting fitness to lead within the bar.

But the proper business of a junior is so different from that of a leader—the qualities of mind required efficiently to discharge the duties of the one function are so different from those required by the other, that so far from assuming capacity to lead, from the fact of the possession of great junior business, (that is, *proper* junior business, not leading in a stuff gown), the more rational inference would be rather the contrary. In fact, it is well known that some of the greatest successes within the bar have been obtained by men who never had very large junior business; and, on the other hand, that many of the most dismal failures within the bar have been by men who, as juniors, were steeped to the very eyes in business. Nevertheless, unsound as the principles of selection are in this respect, they are, in practice, carried into effect with so much modification, arising from the personal judgment exercised by those to whom the power of selection is intrusted, that, if no more pernicious influences could have effect, it would, perhaps, be hardly worth while to disturb an existing mode of proceeding; but other and more pernicious influences do exist, or at least have existed, and may exist again. Time has been when men have been kept for years waiting for deserved promotion, because their politics were not the politics of the Government. Time has been when the personal prejudice of a Chancellor against some particular counsel, has prevented his obtaining that promotion, to which, by his standing and business, he would have been, according to usage, entitled. These and other capricious causes of promotion, or its refusal, have existed, and may exist again. In other words, promotion has been given, and may still be given, from favour, as well as from merit; withheld from pique, or equally unfit motives, as well as from conscientious estimate of demerit. Now, it will be said, why should this not be so? Promotion in the army and navy, in the Government departments, in private life, depends universally as much upon favour as upon merit. The answer is—whether it is or is not right that such grounds of promotion should exist in many cases, in which, confessedly, they do—the question of applying these principles to forensic promotion is very distinct. The State intrusts the command of the army to the Crown. The army is doing the work of the Crown; the Crown, therefore, in distributing promotion (if it does so) by favour, is distributing its favours amongst its own servants, and is responsible for a gross maladministration of its favours. So in private life, if a great merchant choose to select his own relation to be at the head of his counting-house, instead of a more competent stranger, his is the power, his the interest, his the responsibility. But when this is applied to the promotion of junior counsel to be leading

counsel, the effect is, that the Chancellor of the day has the power, by his favour, of promoting those who are to do, not his work, but the work of others; he has the power, in fact, of imposing upon the suitors for senior counsel such men as he may select, whether the suitors like to have them or not; because, in effect, the public can only select their leaders out of the existing inner Bar; and, therefore, every bad appointment pro tanto curtails the right, or at least the power, of the public to obtain good leaders.

For ourselves, we have always thought that the principle of appointing Queen's counsel by the Crown, as a promotion, is altogether unsound, and that the results of it in practice are mischievous. None of the tests, by which the probability of capacity to lead are tried, are at all sufficient to enable any Chancellor to make a selection, even with tolerable certainty. No Chancellor knows half so well as the individual himself, whether he will succeed within the bar. Indeed, we believe that no individual can, in general, form at all a correct estimate of his own chance; but, at any rate, he can form a better one than the Chancellor; and, after all, the question of success or failure is his affair. The inner Bar being but a body of counsel, with particular rights and duties, as the outer Bar is another, with other rights and duties, it would, we apprehend, be much more for the public advantage to let men at the Bar take their own position in whichever class they believe and feel themselves most qualified to act, and to let them try the correctness of their judgment by the only true test, the actual obtaining of business and success. We do not mean, of course, that it should be permitted, to a man of no experience at all, to put himself into the rank of leading counsel; but some reasonable amount of standing might be fixed, after attaining which, it should be a matter of right in any counsel (of course of good personal reputation) to take the rank and the risks of leading counsel.

London Gazette.

TUESDAY, JULY 8.

BANKRUPTS.

JOSEPH HALL, Brighton, Sussex, hotel and tavern keeper, dealer and chapman, July 12 at 2, and Aug. 23 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Housman, Brighton; Brisley, 4, Pancras-lane, London.—Petition dated June 25.

BENJAMIN TEDD, Coventry, Warwickshire, cotton dresser and builder, dealer and chapman, July 23 and Aug. 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Harrison, Birmingham.—Petition dated July 5.

ROBERT CROOM, Downend, Mangotsfield, Gloucestershire, butcher, dealer and chapman, July 23 at 12, and Aug. 20 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Ray & Co., Bristol.—Petition filed July 5.

WILLIAM KENDALL and JOHN STANDISH, Leeds, Yorkshire, grocers, (trading under the style or firm of Kendall & Co.), July 18 and Aug. 29 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Bond & Barwick, Leeds; Lawrance & Plews, 14, Old Jewry-chambers, City, London.—Petition dated July 3, filed July 4.

JOHN ALLMAND, Wrexham, Denbighshire, haberdasher and smallware dealer, July 18 and Aug. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Edgworth & Pugh, Wrexham; Evans & Son, Liverpool.—Petition filed July 4.

JOHN HOWELL, Liverpool, bookseller, July 18 and Aug. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Mallaby & Townsend, Liverpool; Barrett, Doctors'-commons, London.—Petition filed June 25.

JAMES MONKMAN, Oldham, Lancashire, cotton spinner, dealer and chapman, July 26 and Aug. 15 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Matthews, Leeds; Ascroft, Oldham.—Petition filed July 2.

JONATHAN CHEW, Manchester, stuff manufacturer, dealer and chapman, July 18 and Aug. 8 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Bennett, Manchester.—Petition filed June 17.

MEETINGS.

William Prangley, New Sarum, Wiltshire, music seller, July 19 at 11, Court of Bankruptcy, London, aud. ac.—**Charles Thomas Spencer Devey**, Woburn, Bedfordshire, auctioneer, July 18 at 11, Court of Bankruptcy, London, aud. ac.—**Richard Smith**, Preston, Lancashire, corn merchant, July 18 at 11, District Court of Bankruptcy, Manchester, aud. ac.; July 31 at 11, div.—**Robert John Wallis**, Loughborough, Leicestershire, wine merchant, Aug. 1 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.—**William Gimson**, Leicester, builder, Aug. 1 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.—**Robert Westmacott**, Stuart's-grove Nursery, Fulham-road, Chelsea, Middlesex, nurseryman, Aug. 1 at 1, Court of Bankruptcy, London, div.—**Carsten Holthouse**, Great Tower-street, London, sugar broker, Aug. 1 at half-past 11, Court of Bankruptcy, London, div.—**Charles Baker**, Southampton, timber merchant, Aug. 1 at 12, Court of Bankruptcy, London, div.—**William Gray**, Sunderland, Durham, draper, July 29 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div.—**John Johnson**, Coventry, Warwickshire, wine merchant, July 31 at 12, District Court of Bankruptcy, Birmingham, div.—**Thomas Swift**, Monmouth and Chepstow, Monmouthshire, and Brookmear and Bristol, Gloucestershire, timber merchant, Aug. 1 at half-past 11, District Court of Bankruptcy, Bristol, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

David Kirby, Brackley, Northamptonshire, linendraper, Aug. 1 at half-past 11, Court of Bankruptcy, London.—**George Dodson**, Neath, Glamorganshire, painter, July 31 at 12, District Court of Bankruptcy, Bristol.—**John Bannister**, Birmingham, general hardware dealer, Aug. 11 at half-past 10, District Court of Bankruptcy, Birmingham.—**J. Jowett**, Bull-bridge, Derbyshire, stone merchant, Aug. 1 at half-past 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

Ann Walkden, spinster, Horkstow, Lincolnshire, carrier.—**Wm. Walker**, Saltmarah Grange, Howden, and Eastington, Yorkshire, sacking manufacturer.

PETITIONS ANNULLED.

Richard Tredinnick, Threadneedle-street, London, mining agent and auctioneer.—**Walter Gee**, Murray-street, Hoxton, Middlesex, tuscan and straw hat manufacturer.

SCOTCH SEQUESTRATIONS.

James Rodger, jun., Aberdeen, tanner.—**Lawrence Murray**, Glasgow, house factor.—**Nathaniel McFarlane**, Glasgow, grocer.—**John Stalker**, Glasgow, drysalter.—**Thomas Angus**, Glasgow, dairyman.—**John Harthill & Son**, Edinburgh, printers.—**Alexander MacIntyre**, deceased, Furnace, Argyllshire, fish curer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Leek, Birmingham, butcher, July 26 at 10, County Court of Warwickshire, at Birmingham.—**Richard Done**, Aston, Birmingham, baker, July 26 at 10, County Court of Warwickshire, at Birmingham.—**Joseph Cook**, Birmingham, scale-beam maker, July 26 at 10, County Court of Warwickshire, at Birmingham.—**Ferdinand Heinemeier**, Edgbaston, Birmingham, teacher of languages, July 12 at 10, County Court of Warwickshire, at Birmingham.—**John Smith Lowe**, Kingsnorton, Worcestershire, paperhanger, July 26 at 10,

County Court of Warwickshire, at Birmingham.—**A. Broad**, Madeley, Staffordshire, blacksmith, July 16 at 10, County Court of Staffordshire, at Newcastle-under-Lyme.—**John Morgan**, Welsh St. Donatt's, Glamorganshire, farmer, July 19 at 10, County Court of Glamorganshire, at Cardiff.—**Charles Mason**, Kingston-upon-Hull, butcher, July 26 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Wm. G. Featherstone**, Kingston-upon-Hull, paperhanger, July 26 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**James Taylor**, Kingston-upon-Hull, cooper, July 26 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Henry Lucas**, St. Mary Extra, near Southampton, Hampshire, collector of assessed taxes, July 22 at 10, County Court of Southampton, at Southampton.—**William Sargeant**, Clare, Suffolk, corn dealer, July 22 at 10, County Court of Suffolk, at Haverhill.—**Benjamin Appleby Bradford**, Bradford, Yorkshire, butcher, July 26 at 11, County Court of Yorkshire, at Bradford.—**James Varley**, Bradford, Yorkshire, overlooker, July 26 at 11, County Court of Yorkshire, at Bradford.—**Richard Kennedy**, Bradford, Yorkshire, warehouseman, July 26 at 11, County Court of Yorkshire, at Bradford.—**Daniel J. Boyce**, Whittlesey, Isle of Ely, Cambridgeshire, out of business, July 26 at 11, County Court of Northamptonshire, at Peterborough.—**Henry Knight**, Newport, Monmouthshire, out of business, July 22 at 12, County Court of Monmouthshire, at Newport.—**James Cummins**, Newcastle-upon-Tyne, grocer's assistant, July 24 at 10, County Court of Northumberland, at Newcastle.—**J. Usher**, Bristol, lodging-house keeper, Aug. 6 at 11, County Court of Gloucestershire, at Bristol.—**James Gallop**, Bristol, fly proprietor, Aug. 6 at 11, County Court of Gloucestershire, at Bristol.—**Edwin Trigg**, Bradford, Yorkshire, grocer, July 26 at 11, County Court of Yorkshire, at Bradford.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 23 at 11, before the CRIER COMMISSIONER.

Charles A. Gobby, Hatton-yard, Hatton-garden, Middlesex, carman.—**Wm. Andrews**, Argyle-square, King's-cross, St. Pancras, Middlesex, gentleman.—**George Franklin**, Isle of Dogs, Middlesex, carpenter.

July 23 at 10, before Mr. Commissioner LAW.

Richard Clay, Kent-street, Surrey, out of business.

July 23 at 11, before Mr. Commissioner PHILLIPS.

Wm. Chapman, Norland-road, Hammersmith, Middlesex, porkman.

Saturday, July 5.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

H. B. Leech, Manchester, silk manufacturer, No. 73,520 C.; **Wm. Bloor**, assignee.—**John E. Cookson**, Manchester, silk manufacturer, No. 73,518 C.; **Wm. Bloor**, assignee.—**John Holford**, Beresford-street, Woolwich, Kent, builder, No. 62,298 T.; **John Munyard**, assignee.—**William Otto Patch**, Exmouth, Littleham, Devonshire, superannuated clerk in the Council-office, Whitehall, No. 47,702 C.; **Saml. Sturgis**, new assignee, in the place of E. Webber and **Wm. Dyer**, removed.—**Joseph Gilding**, Broughton, Lincolnshire, farmer, No. 73,763 C.; **John Horncastle**, assignee.

Saturday, July 5.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Parry, White Horse-street, Piccadilly, Middlesex, tailor: in the Queen's Prison.—**C. H. Hughes**, Clifton-street North, Finsbury, Middlesex, warehouseman to a general commission agent: in the Debtors Prison for London and Middlesex.—**David Wheatley**, Princes-terrace, Caledonian-road, Islington, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—**Henry Reynolds**, Bedford-st., Mile-end-road, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—**Joseph Trevethen**, Chatham, Kent, out of business: in the Gaol of Surrey.—**Benj.**

Britnell, Exmouth-street, Spa-fields, and Aylesbury-street, Clerkenwell, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Wm. H. W. Calder*, Leatherhead, Surrey, gentleman: in the Queen's Prison.—*James R. Anderson*, Great Russell-street, Bloomsbury, Middlesex, comedian: in the Queen's Prison.—*Thomas Jenner*, Cleveland-street, Fitzroy-square, Middlesex, undertaker: in the Debtors Prison for London and Middlesex.—*Henry Baker*, Judd-st., New-road, Middlesex, confectioner: in the Debtors Prison for London and Middlesex.—*James Harding*, Mill-meads, Guildford, Surrey, architect: in the Gaol of Horsemonger-lane.—*John J. Andrews*, Manchester-street, Argyle-square, King's-cross, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Edward C. Sharpe*, Hall-street, City-road, Middlesex, clerk in holy orders: in the Debtors Prison for London and Middlesex.—*B. W. Plumb*, Clifford-street, Bond-street, Middlesex, general merchant: in the Queen's Prison.—*William Wright*, Great Peter-street, Westminster, Middlesex, ornamental painter: in the Debtors Prison for London and Middlesex.—*Thomas Ash*, Lancaster, tea dealer: in the Gaol of Lancaster.—*Rich. Brookes*, Moor-lane, Swinton, near Manchester, provision-shop keeper: in the Gaol of Lancaster.—*Wm. Clarke*, Liverpool, assistant to a butcher: in the Gaol of Lancaster.—*William Cowell Slate*, Liverpool, butcher: in the Gaol of Lancaster.—*Robert Hopley Dod*, Birkenhead, near Liverpool, farmer: in the Gaol of Lancaster.—*George Haley*, Dudley-hill, near Bradford, Yorkshire, blacksmith: in the Gaol of York.—*John M'Leod, Esq.*, Liverpool: in the Gaol of Lancaster.—*Peter M'Arroy* the younger, Liverpool, game dealer: in the Gaol of Lancaster.—*Samuel Ward*, Oldham, Lancashire, provision-shop keeper: in the Gaol of Lancaster.—*John Worth* the younger, Salter's Lode, Drewar, near Downham Market, Norfolk, carpenter: in the Gaol of Norwich.—*Wm. Dobbing*, Bishopwearmouth, Durham, draper: in the Gaol of Durham.—*Joseph Hylton*, Sheffield, Yorkshire, manager of a travelling menagerie: in the Gaol of York.—*John Holt*, Heckmond-wike, near Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Peter Mills*, Bishopwearmouth, Durham, shipwright: in the Gaol of Durham.—*Joseph Beech*, Macclesfield, Cheshire, silk trimming manufacturer: in the Gaol of Chester.—*Richd. Lee*, Bowling, near Bradford, Yorkshire, stonemason: in the Gaol of York.—*John Poole*, York, butcher: in the Gaol of York.—*Joseph Royce*, Nottingham, currier: in the Gaol of Nottingham.—*Wm. Moore*, Mirfield, near Dewsbury, Yorkshire, joiner: in the Gaol of York.—*John Willey*, Melbourne, Thornton, near Pocklington, Yorkshire, assistant to an innkeeper: in the Gaol of York.—*Martin Watson*, South Shields, Durham, coal merchant: in the Gaol of Newcastle-upon-Tyne.—*Richard James*, Bristol, picture dealer: in the Gaol of Bristol.—*Manley Hitchon*, Slead Hall, Hipperholme-cum-Brighouse, near Halifax, Yorkshire, in no business: in the Gaol of York.—*Joseph Broadbent*, Sowerby-bridge, near Halifax, Yorkshire, beer seller: in the Gaol of York.—*John Gouthorpe* the younger, Melbourne, Thornton, near Pocklington, Yorkshire, shoemaker: in the Gaol of York.

(On Creditors' Petitions).

Wm. Hen. Hellawell, Huddersfield, Yorkshire, woollen spinner: in the Gaol of York.—*Thos. Geo. Frederick Coward Hampson*, Woodcock House, Euxton-lane, Euxton, Leyland, Lancashire, gentleman: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 22 at 11, before the CHIEF COMMISSIONER.

Henry Wajstoff, Woodfield-road, Harrow-road, Paddington, Middlesex, shoemaker.—*Nathaniel Jones Woolley*, High-st., Camden-town, Middlesex, out of business.

July 23 at 10, before Mr. Commissioner LAW.

Robert Collinson, Newman-st., Oxford-st., and Giltspur-street, West Smithfield, City, upholsterer.

July 24 at 11, before Mr. Commissioner PHILLIPS.

Alexander Reid, Callam-street, Fenchurch-street, London, general dealer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, July 31 at 10.

Samuel Herbert, Kemerton, mealman.

At the County Court of Northumberland, at NEWCASTLE, July 24 at 10.

Martin Watson, South Shields, out of business.

At the County Court of Flintshire, at MOLD, July 23.

Thomas Reeves, Threapwood, Worthenbury, labourer.

At the County Court of Hampshire, at WINCHESTER, July 24.

Fanny Coombe, spinster, Elvetham, out of business.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, July 26.

Peter Nicol, Kingston-upon-Hull, out of business.—*H. Nutt*, Kingston-upon-Hull, out of business.

FRIDAY, JULY 11.

BANKRUPTS.

THOMAS EDWIN SOUTHEE, Fleet-street, London, advertising agent, publisher, and patent medicine vendor, dealer and chapman, July 21 at 1, and Aug. 28 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Buchanan, 8, Basinghall-street, City.—Petition filed June 5.

WILLIAM TAYLOR and JAMES WYLDE, Wood-st., London, and Lock's-fields, Waltham, Surrey, flock, wadding, and mop manufacturers, dealers and chapmen, (trading and carrying on business under the style or firm of Taylor & Wyldes), July 21 at 12, and Aug. 22 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Leppard & Co., 9, Cloak-lane, City.—Petition dated July 7.

WILLIAM EDWARD JOHNSON, New-wharf, Little Abingdon-street, Westminster, coal merchant, July 18 at 12, and Aug. 22 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Jerwood, 17, Ely-place, Holborn.—Petition dated July 9.

JAMES MURRAY, Gresham-street, London, woollen warehousman, dealer and chapman, July 18 at 1, and Aug. 15 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed July 8.

WILLIAM WILLIAMS, of Ashford, Kent, late of Harwich, Essex, and previously of Southampton, contractor and builder, July 19 and Aug. 15 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Co., Old Jewry-chambers, London.—Petition filed July 9.

THOMAS BARBER, Cambridge, schoolmaster, bookseller, dealer and chapman, July 18 at 1, and Aug. 15 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sols. T. & G. Archer, Ely, Cambridgeshire; Pickering & Co., 4, Stone-buildings, Lincoln's-inn, London.—Petition filed July 5.

PHILIP RUFFORD, FRANCIS RUFFORD, and CHARLES JOHN WRAGGE, Stourbridge, Worcestershire, bankers, dealers and chapmen, (trading under the style or firm of Rufford & Wragge), July 28 and Aug. 18 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Harward, Stourbridge; Motteram & Co., Birmingham.—Petition dated June 30.

PHILIP RUFFORD and FRANCIS RUFFORD, Broms-grove, Worcestershire, bankers, dealers and chapmen, (carrying on business under the style or firm of Rufford, Biggs, & Co.), July 26 and Aug. 16 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Harward, Stourbridge; Motteram & Co., Birmingham.—Petition dated June 30.

SAMUEL STREET, Devizes, Wiltshire, shoemaker, trader, dealer and chapman, July 24 and Aug. 21 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Abbot & Lucas, Bristol.—Petition filed July 7.

RICHARD BRUMWELL, Halifax, Yorkshire, draper, July 28 at 12, and Aug. 20 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed July 2.

ELIZABETH THOMPSON, Reading, Berkshire, brush-maker, dealer and chapman, (trading under the name, style, and firm of Elizabeth Thompson & Co.), July 23 and Aug. 23 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Finney, 6, Furnival's-inn, Holborn.—Petition filed June 17.

WILLIAM AYRES, Cardiff, Glamorganshire, grocer, tea dealer, dealer and chapman, (sometimes called or known by the name of William Ayres the younger), July 24 and Aug. 21 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Stanley & Wasbrough, Bristol.—Petition filed July 4.

FLETCHER CLARKE, Hawes, Yorkshire, wine and spirit merchant, dealer and chapman, July 28 and Aug. 21 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Robinson, Leyburn; Bond & Barwick, Leeds.—Petition filed July 4.

JAMES HOYLE and THOMAS HOYLE, Salford, Lancashire, cotton manufacturers, (trading under the firm of James Hoyle & Son), July 24 and Aug. 15 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Rowley, Manchester.—Petition filed July 9.

JAMES POWNALL, (of the firm of James Pownall and James Youil), Pimill Brow, Ardwick, Manchester, brewer, dealer and chapman, July 21 and Aug. 12 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Lycett, Manchester.—Petition filed July 1.

METTINGS.

Benjamin Parker, Hampstead, Middlesex, grocer, July 25 at 12, Court of Bankruptcy, London, ch. ass.—*David Gideon*, Minorities, London, and Uxbridge, Middlesex, clothier, July 26 at half-past 12, Court of Bankruptcy, London, last ex.—*Richard Whalley*, Accrington, Lancashire, mercer, July 24 at 11, District Court of Bankruptcy, Manchester, last ex.—*Charles Baker*, Southampton, timber merchant, July 23 at 12, Court of Bankruptcy, London, aud. ac.—*C. Holthouse*, Great Tower-st., London, sugar broker, July 31 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Alfred Terrant*, High Holborn, Middlesex, bookbinder, July 25 at 11, Court of Bankruptcy, London, aud. ac.; Aug. 1 at 12, div.—*Wm. Cox*, Blomfield-terrace, Harrow-road, Middlesex, stockbroker, July 25 at 11, Court of Bankruptcy, London, aud. ac.—*Henry Watson and John G. Hick*, Fimlico, Middlesex, and Sittingbourne, Kent, cement manufacturers, July 25 at 11, Court of Bankruptcy, London, aud. ac.—*George Henry Bradberry and George R. Lowe*, Great Tower-st., London, flour factors, July 29 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel T. Jay*, Badley, Suffolk, miller, July 29 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Burrows*, Park-st., Islington, Middlesex, surgeon, July 25 at 11, Court of Bankruptcy, London, aud. ac.; Aug. 1 at 11, div.—*Joseph Corvito*, Mincing-lane, London, merchant, July 22 at 12, Court of Bankruptcy, London, aud. ac.—*David Johnstone*, Manchester, innkeeper, July 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Aug. 5 at 12, div.—*J. Hunt*, Middleton, Lancashire, silk manufacturer, July 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Aug. 4 at 12, div.—*David Douglas*, Chorlton-upon-Medlock, Manchester, draper, July 31 at 11, District Court of Bankruptcy, Manchester, aud. ac.; Aug. 1 at 11, div.—*T. Davis, J. Glossop, and J. Brantley*, Morris Mill, Pilsworth, near Bury, Lancashire, dyers, July 25 at 12, District Court of Bankruptcy, Manchester, aud. ac. joint est., and aud. sep. est. of *James Glossop and James Brantley*.—*James Farley*, Liverpool, laceman, July 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas B. Vaughan*, Poulton-cum-Spital, Cheshire, farmer, July 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*David Clement*, Neath, Glamorganshire, saddler, Aug. 8 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Aug. 22 at 11, div.—*George Phillips and John Whittow*, Haverfordwest, linen and woollen drapers and grocers, Aug. 8 at 11, District Court of Bankruptcy, Bristol, aud. ac., and Aug. 11 at 11, div. sep. est. of *George Phillips*.—*James Ewell*, Shifnal, Shropshire, apothecary, July 21 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Samuel Lee*, Loughborough, Leicestershire, bookseller, Aug. 1 at half-past 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Thomas Cave*, South Kilworth, Leicestershire, innkeeper, July 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Isiah Harper*, Dudley,

Worcestershire, builder, July 23 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Wm. Prangley*, New Sarum, Wiltshire, music-seller, Aug. 2 at 1, Court of Bankruptcy, London, div.—*Thos. Thomas*, Ilstock, Leicestershire, draper, Aug. 9 at half-past 10, District Court of Bankruptcy, Birmingham, div.—*Joseph Boycot*, Kidderminster, Worcestershire, draper, Aug. 12 at 12, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Samuel Grinstead, Brighton, Sussex, licensed victualler, Aug. 5 at 1, Court of Bankruptcy, London.—*Edmund William Reilly*, Bath, Somersetshire, livery-stable keeper, Aug. 5 at 12, District Court of Bankruptcy, Bristol.—*David Johnstone*, Manchester, innkeeper, Aug. 5 at 12, District Court of Bankruptcy, Manchester.—*William Bown Harrison*, Chorlton-upon-Medlock, Lancashire, bleacher, Aug. 5 at 12, District Court of Bankruptcy, Manchester.—*John Hink*, Warwick, grocer, Aug. 5 at 12, District Court of Bankruptcy, Birmingham.—*Robert Cleaver*, Stretton-on-Dunsmore, Warwickshire, timber dealer, Aug. 9 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Graham, Notting-hill-square, Notting-hill, Middlesex, hosier.—*Charles Snelling*, Gracechurch-street, London, hairdresser.—*Szymanski Leon*, Rathbone-place, Middlesex, tailor.—*John Dew and Jane Estill*, Bath, Somersetshire, pawnbrokers.—*Manuel Jones*, Wrexham, Denbighshire, cheese factor.—*William Prangley*, New Sarum, Wiltshire, music-seller.—*John Pullen*, Powis-place, Great Ormond-street, Middlesex, lodging-house keeper.—*Margaret Meikle*, Liverpool, pawnbroker.—*James Ewell*, Shifnal, Shropshire, apothecary.

SCOTCH SEQUESTRATIONS.

Archibald Snodgrass, Glasgow, grain merchant.—*Joseph Paterson*, Oban, surgeon.—*Alexander Shiels*, East Linton, Haddingtonshire, merchant.—*George Leys*, Aberdeen, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Roberts, Mellis, Suffolk, railway porter, July 21 at 2, County Court of Suffolk, at Eye.—*Fryer Richardson*, Lakenheath, Suffolk, out of business, July 29 at 10, County Court of Suffolk, at Mildenhall.—*Thomas Bayley Smith*, Southwold, Suffolk, supernumerated police officer, July 23 at 2, County Court of Suffolk, at Halesworth.—*James Castle*, Bristol, beer retailer, July 23 at 11, County Court of Gloucestershire, at Bristol.—*Edward Reynolds*, Norwich, out of business, July 29 at 10, County Court of Norfolk, at Norwich.—*Henry James Bush*, Norwich, out of business, July 29 at 10, County Court of Norfolk, at Norwich.—*John Healey*, Rochdale, Lancashire, out of business, July 31 at 12, County Court of Lancashire, at Rochdale.—*Joseph Bateson*, York, blacking manufacturer, July 28 at 10, County Court of Yorkshire, at York.—*John Thornhill*, Algarth, Lincolnshire, grocer, Aug. 19 at 10, County Court of Lincolnshire, at Boston.—*William Mitchell*, Wheatley, Oxfordshire, baker, July 21 at 2, County Court of Oxfordshire, at Oxford.—*John Lett*, Rochdale, Lancashire, beer retailer, July 31 at 12, County Court of Lancashire, at Rochdale.—*William Birkhead*, Elland Lower-edge, Halifax, Yorkshire, stone dealer, July 25 at 10, County Court of Yorkshire, at Halifax.—*John Wright*, Gainsborough, Lincolnshire, flour dealer, Aug. 25 at 10, County Court of Lincolnshire, at Gainsborough.—*William Reynolds*, Pitney, Somersetshire, out of business, July 31 at 9, County Court of Somersetshire, at Langport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 22 at 11, before the CHIEF COMMISSIONER.

Adjourned.

William Henry Wright Cross, Bride-lane, Fleet-street, London, attorney-at-law.

July 25 at 10, before Mr. Commissioner LAW.

Robert Smith, Clayton-street, Kennington-road, Surrey, blindmaker. — William Henry Smith, Walcot-place West Kennington-road, Lambeth, Surrey, retired commander in the Royal Navy.

July 25 at 11, before Mr. Commissioner PHILLIPS.

John W. Hibbard, High-street, Hoxton Old-town, Middlesex, linen-draper.

July 26 at 11, before Mr. Commissioner PHILLIPS.

George Batchelor, Upper Kennington-lane, Surrey, tobacconist.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 25 at 11, before the CHIEF COMMISSIONER.

John T. Bragg, Belgrave-street, New-road, King's-cross, Battle-bridge, St. Pancras, Middlesex, wine merchant. — Rich. Farnham, High-street, Shoreditch, Middlesex, managing the business of a beer-shop keeper.

July 25 at 10, before Mr. Commissioner LAW.

John C. Wright, Princes-road, Lambeth, Surrey, managing the business of a greengrocer. — T. C. C. Wickes, Gray's-inn-lane, Middlesex, ivory turner. — Andrew Smith, Garden-row, London-rd., Southwark, Surrey, out of business. — B. Britnell, Exmouth-st., Clerkenwell, Middlesex, cheesemonger. — C. H. Hughes, Clifton-street North, Finsbury, Middlesex, warehouseman to general commission agents.

July 26 at 11, before Mr. Commissioner PHILLIPS.

Wm. Squire, High Holborn, Middlesex, pianoforte manufacturer.

July 28 at 10, before Mr. Commissioner LAW.

John James Andrews, Manchester-street, Argyle-square, Middlesex, out of business. — William Park, Coppice-row, Clerkenwell, Middlesex, globe maker.

June 28 at 11, before Mr. Commissioner PHILLIPS.

A. Carroll, East-st., Finsbury-market, Middlesex, picture dealer. — L. Just, Aylesbury-street, Clerkenwell, Middlesex, watchmaker.

Adjourned.

Gustavus Wm. Blanch, Whitehead's-grove, Chelsea, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at GLOUCESTER, July 31 at 10.

George Benger, Mangotsfield, miller.

At the County Court of Yorkshire, at YORK CASTLE, July 28 at 10.

John Fox, Dewsbury, out of business. — George Sutcliffe, Sowerby-bridge, near Halifax, attorney-at-law. — Geo. Haley, Dudley-hill, near Bradford, blacksmith. — Joseph Richardson, Middlesbrough, printer. — Manley Hitchon, Hipperholme-cum-Brighouse, near Halifax, gentleman. — T. Sunderland, Lindley, near Huddersfield, out of business. — F. Marsden, Horbury, near Wakefield, out of business. — John Wilson, Horbury, near Wakefield, out of business. — John Willey, Melbourne, Thornton, near Pocklington, servant. — William Butlerell, Eccleshall, near Sheffield, coalowner. — John Gouthorpe the younger, Melbourne, Thornton, near Pocklington, shoemaker. — Joseph Hylton, Sheffield, manager and conductor of a travelling menagerie. — Wm. Moore, Colburn, Catterick, out of business. — Wm. Moore, Miffield, near Dewsbury, out of business. — Jos. Broadbent, Sowerby-bridge, near Halifax, beer-seller. — John Holt, Heckmondwike, near Leeds, out of business. — Joseph Tolson, Birkby, near Huddersfield, out of business. — Geo. H. Brown, Bradford, out of business. — R. Lee, Bowling, near Bradford, stonemason. — John Poole, York, out of business.

MEETINGS.

Wm. T. Parkes, Southwood-lane, Highgate, Middlesex, attorney-at-law, July 28 at 12, Insolvent Debtors Court, Portugal-street, Lincoln's-inn-fields, sp. aff. — Hugh Doherty, Esq., Laurel-lodge, near Barnet, Hertfordshire, Aug. 12 at 11, Moores', Warrford-court, London, pr. d.

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JULY 19, 1851.

PRICE 1s.

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LONDON, JULY 19, 1851.

THE Registration of Assurances Bill has passed the House of Lords, and is now before the House of Commons*.

The general plan of it is simple enough, though, of course, the details form a somewhat voluminous set of clauses. All documents under which any title to land may arise *may* (the *bill* does not say *must*) be registered in a general registry in London; but the *may* is converted into *must* in this way, that all assurances (except a will, as to which there are special provisions) authorised to be registered, and not registered, are to be void against any person claiming for valuable consideration under any subsequent assurance duly registered. In effect, therefore, all assurances affecting lands with which any dealings in the way of alienation take place, *must* be registered, or they will be valueless. The bill proposes, also, to do away with the equitable doctrine of notice, by sect. 37, which enacts that "the priority given by the provisions hereinbefore contained, to any person claiming for valuable consideration under a registered assurance, shall not, as respects any person so claiming without fraud, be taken away by any Court of equity in consequence of such person having been affected with notice; and where, under the provisions hereinbefore contained, priority is given to any person claiming for valuable consideration, under a registered assurance, an equitable estate or interest, such priority shall, in favour of any person so claiming without fraud, be enforced in equity, although the person so claiming under such registered assurance has been affected with notice."

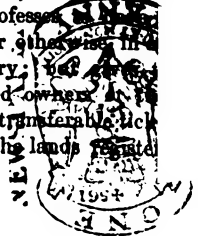
This we take to be a very beneficial provision, as it will prevent the arising of numerous perplexing questions. The principle of it is still further carried out by the following section, which takes away all effect,

* In another part of this journal will be found an abstract of the bill, prepared by a correspondent; our remarks are, therefore, made quite general, as the reader will be able, by referring to the abstract, at once to see the portions of the bill to which we refer.

as against a purchaser purchasing under a registered assurance, from any trusts, &c. affecting the estate purchased, unless such trusts are disclosed by the registry; and that, although he may have aliunde notice of the trusts, provided there is no fraud. In fact, the registry, it seems, is to be everything, and that which does not appear upon it, is to be taken to have absolutely no existence.

In order, however, to protect the owners of equities, the bill proposes machinery analogous to that of the proceeding by distringas, which operates so satisfactorily to protect equitable interests in stock. The owner of an equity, not manifested by the registry, may deliver to the registrar a requisition for an *inhibition*, inhibiting the apparent owner of the land from alienating it without notice to him, the requisitionist. The registrar may be required by the party inhibited to raise the inhibition, and if required to do so, he gives notice to the inhabitant that he shall withdraw the inhibition at the end of fourteen days; during which time the inhabitant must, if he wishes to sustain the inhibition, apply to the Court of Chancery to restrain the cancellation of the inhibition; and this he may do by petition or motion, without any bill filed; and while the inhibition lasts, any person purchasing under the registered assurances takes subject to the trusts. This is precisely the same system of proceeding as that by distringas upon stock; and there seems no reason to suppose that it will not form an efficient protection for equities in land.

The difficulty which has so continually been thrown in the way of a registration, by the opposition of those who complained of its needlessly publishing the titles of the landed interest, appears to be met very simply, yet ingeniously, (if we have correctly apprehended it), by the 61st clause, which does not give, as a matter of course, to any one who has or professes an interest, as an intended purchaser or otherwise, in land, a right to inspect the registry; but gives the right of inspection only to registered owners, nominees, by giving to the former transferable tickets or licenses to search, in relation to the lands registered



by them. Thus there cannot be, in general, a search instituted except by a party *bonâ fide* intending to purchase, since he can only search by the order of the vendor himself.

There will be some practical difficulty in reference to working the act, in the formation of a clear and efficient system of indexes, as to which the bill seems pretty well to leave everything to the ingenuity and industry of the registrar. This, however, is mere practical difficulty, and will be quite within the compass of any thorough man of business.

The great defect of the bill is the absence of any better means of shewing identity of parcels than those which already exist in the ordinary method of investigating titles. It is much to be lamented that so important an item in efficient registration should have been abandoned. However, such as it is, the Registration Bill is the commencement of a good system of registration, proceeding as it does upon the sound principle of making the title shewn by the registry, the only title that can bind a purchaser, with or without notice of any other.

THE REGISTRATION OF ASSURANCES BILL.

We are glad to see Lord John Russell's declaration of the Government's intention to pass this important bill in the present session, if possible. The plea for delay that has been urged by the opponents of registration is perfectly absurd. No measure has been more deliberately prepared, or has received more careful and able revision. Even the principal details of the present bill have been before the Profession for more than twenty years. The chief novelty in the present bill, as it was originally drawn,—the provision for a map index,—has been struck out by the Upper House. In doing this, they have displayed, we think, more timidity than prudence, and have postponed an amendment in the practice of conveyancing which more than almost any other would have tended to certainty and economy. The map index was, however, no essential part of the registration scheme embodied in the bill before us; and it may be easily engrafted on it when its utility is understood and acknowledged.

We have not taken any notice of the strenuous opposition to this bill which has been got up by, we are afraid we must say, the majority of the provincial solicitors; because we have been unable to find among their avowed objections any one that has not been repeatedly refuted, both in our pages and elsewhere. When we meet with a candid statement of any plausible objection to the scheme, we will give it our best consideration. In the meantime we present our readers with an abstract of the bill, requesting their particular attention to the provisions for the registration of wills and intestacies, (sects. 18, 19, 33, &c.);—for the registration of *inhibitions* against the acts of trustees and other persons having powers beyond their beneficial interests, (sects. 38 et seq.);—for the registration of *caveats*, (sect. 49);—and for the issuing of *certificates of registration*, by means of which deposit securities may be made as expeditiously, effectually, and secretly as at present, *without registering the incumbrance*, (sect. 52).

Sect. 1. A land register-office to be established. Treasury to provide buildings.

2. Her Majesty may appoint a registrar and assistant registrars.

3. Lord Chancellor to appoint subordinate officers.

4. Qualifications for the office of registrar and assistant registrar.

5. The registrar &c. to give security.

6. Registrar, with concurrence of other persons appointed by her Majesty, to divide England into districts, of such extent as (having reference to local divisions, the state of ownership of land, and other circumstances) may in their opinion be convenient for facilitating searches in the separate indexes to be kept as hereinafter mentioned for such districts respectively.

7. Commencement of registration to be fixed by Lord Chancellor and registrar.

8. "All assurances to be executed after the commencement of registration under this act, by which any lands in England may be affected at law or in equity, may be registered under this act by the deposit of the original document, or (where there are duplicate original documents) of one of the duplicate original documents, in the register-office, and by the entry or entries hereinafter required being made in the proper index or indexes to be kept under this act in such office; and the several documents to be deposited in such office shall from time to time be made up into books or parcels, and numbered and arranged in such manner as the registrar may direct." [See sect. 63.]

9. "There shall be provided and kept in the register-office an *Index for all England*, to be intitled '*The Index of Titles*;' and all assurances to be registered under this act (except wills and such other assurances as are hereinafter directed to be otherwise indexed) shall be indexed in such index under heads to be respectively designated by numbers or otherwise, as the registrar may think fit; And, save where otherwise provided by the regulations to be made under this act, and subject to such provision in relation to such index as may be made by such regulations, every assurance required to be indexed in such index shall, where the grantor in such assurance does not derive title, either immediately or derivatively, under an assurance which has been indexed in such index, be indexed by an entry therein under a new head, and shall, where such grantor derives title, either immediately or derivatively, under an assurance which has been indexed in such index, be indexed by an entry therein under the same head as such last-mentioned assurance, every such entry to express the year and the day of the month when the same is made, and the book or parcel in which the document deposited in the register-office is made up, and the number of such document in such book or parcel, and such other particulars as under any regulations to be made as hereinafter mentioned may be directed."

10. "There shall be provided and kept for each district formed under this act an *Alphabetical Index of the Names of Grantors*, and, save where otherwise provided by the regulations to be made under this act, and subject to such provision in relation to the indexes of the names of grantors as may be made by such regulations, where any assurance is indexed in the Index of Titles under a new head, and also where the regulations to be made under this act require such entry as hereinafter mentioned to be made in relation to such assurance, the name of the grantor in the assurance, with his addition (if any) as set forth therein, shall be entered in the Index of the Names of Grantors for the district in which the lands affected by the assurance are situate, and an entry shall be made opposite to the name to be so entered, which entry shall contain a reference to the head under which such assurance is indexed in the Index of Titles; and where the lands affected by the assurance are situate in more than one district, like entries shall be made in the index for each such district."

11. "Provided, that on the registration of any assurance made by an heir-at-law or other person by way of confirmation of a will which has been registered under this act, or of any appointment of new trustees under any such will, or of any release or assurance of any lands or charge on lands comprised in or affected by any such will, which, in the opinion of the registrar, may be conveniently indexed with reference to such will, the registrar may cause to be entered in the Index to Testators and Intestates hereinafter mentioned, opposite to or in connexion with the entry in relation to such will, such reference to the head under which such assurance, appointment, or release is entered in the Index of Titles as under the provision hereinbefore contained would be required to be entered in the Index of the Names of Grantors, in lieu of causing such reference to be entered in such last-mentioned index."

12. Decrees in equity creating, declaring, transferring, foreclosing, or determining interests in land, and also decrees in equity by which any such decree shall be varied or reversed,

to be considered assurances. Contents of memorial. Memorial to be examined and certified by officer of the court.

13. Every private act of Parliament affecting lands to be an assurance.

14. Where by any act any lands are vested upon the payment of money or other act, a memorandum of the payment or other act may be registered. Evidence of the payment, &c. to be deposited with the memorandum. This clause not to extend to the vesting of the estate of a bankrupt or insolvent.

15. Equitable mortgage by deposit of deeds may be registered by depositing a memorandum.

16. Liens by reason of non-payment of purchase money may be registered by depositing a memorandum.

17. In a case within any of the last five sections, the assurance to be considered to have been made by the person whose right, &c. in the lands shall be bound by the decree, &c.

18. *Registration of Wills.*—A will may be registered by the deposit of the original, or, if such will be proved, and deposited in any court of probate in England, it may be registered by depositing a memorial, mentioning the name and addition of the testator as in the will, and the court and date of probate, or by depositing an office or authenticated copy of the will; or if proved in Ireland, or elsewhere out of England, or by any law required to be kept in any office or place out of England, by depositing a copy, authenticated if possible. The registered wills, memorials, and copies of wills to be made up into books or parcels separately from other documents, and numbered.

19. Letters of administration and affidavits of intestacy may be registered.

20. An index, to be called "*The Index to Testators and Intestates*," to be kept for all England; and where a will, letters of administration, or affidavit is registered, an entry of the testator's or intestate's name to be made in such index, and also an entry of the will, letters, or affidavit.

21. Where the original document is lost, a copy or extract may be deposited. In case of an extract, the registration to be effectual only as far as the extract agrees with the original.

22. Where the document directed by this act to be deposited at the register-office is required to be deposited at any other office or place, a copy may be deposited at the register-office.

23. Power to any person claiming under an assurance to compel the registration thereof by application to a judge.

24. Judge may make order as to costs, and order an office copy to be furnished at the expense of the applicant.

25. Appeal from judge to the Court.

26. Where order or rule for delivery of any document to be registered is not complied with, the order or rule may be registered in lieu thereof.

27. Petitions for adjudication of bankruptcy, and for commissions of bankrupt, and appointments of assignees in bankruptcy in England and Ireland, and acts and warrants of confirmation in Scotland, may be registered.

28. Any order or appointment, &c. of assignees in insolvency may be registered by deposit of a copy or certificate, and making the proper entry.

29. An index, to be called "*The Index to Bankrupts and Insolvents*," to be kept for England.

30. "Every assurance by this act authorised to be registered, other than a will, shall (so far as regards any lands in England to be affected thereby) be void as against any person claiming for valuable consideration under any subsequent assurance duly registered, unless the prior assurance have been registered in the manner directed by this act before the registration of the subsequent assurance."

31. Estate or interest arising under act of Parliament upon payment of money, &c., equitable mortgage by deposit of deeds, and lien for purchase money, to be void as against purchasers, unless memorandum registered.

32. Assurance duly entered as to part only of the lands to be deemed duly registered as to such part.

33. *Priority as against an unregistered Will.*—Where any will, letters of administration, or affidavit of intestacy has been duly registered, every other will of the deceased shall, as to lands in England, be void as against any person claiming for valuable consideration under any assurance, duly registered, made after the death of the testator by any person claiming immediately or derivatively under such registered will or intestacy, unless such other will be registered before the registration of such assurance or such first-men-

tioned will, letters of administration, or affidavit: provided that registration of a will within two years after the death of the testator shall be as effectual as registration immediately after the death: provided also, that if, by reason of the concealment, suppression, or contesting of any will, or other inevitable difficulty, any person interested thereunder be disabled from registering the same within such two years, then the registration of an affidavit of the death &c., and of the impediment, followed by registration of the will within six months next after all impediments to the registration thereof are removed, shall, unless before registration of the will the registration of the affidavit be cancelled under the provision hereinafter contained, be as effectual as registration immediately after the death. Affidavits to be indexed in the Index to Testators and Intestates.

34. Court of Chancery may order registration of affidavit of a will to be cancelled.

35. Purchasers protected against bankruptcy and insolvency, unless appointment of assignees, &c. be registered.

36. Protection of purchasers against subsequent adjudication in bankruptcy where the petition is not registered.

37. The priority given by the preceding clauses to be enforced in equity, notwithstanding notice, except in cases of fraud.

38. Purchaser for valuable consideration not to be affected by notice of uses or trusts not manifested by a registered assurance, nor by uses or trusts declared by reference to an unregistered assurance.

39. Persons interested under uses or trusts affecting estates vested under a registered assurance, may, upon affidavit of belief of title, enter an inhibition against alienation, (by the person holding subject to such use or trust), without previous notice to be sent by the registrar to a specified person.

40. Inhibition to be entered in Index of Titles.

41. Provision for cancelling inhibition, on application of person inhibited, after fourteen days' notice.

42. Court of Chancery may restrain registrar from cancelling inhibition.

43. Persons claiming under assurances made while inhibition is on the register, to be affected by uses and trusts not shown by a registered assurance.

44. Entries to be made immediately on receipt of documents, and time of receipt to be marked.

45. Assurances registered at the same time to have priority according to the time of execution.

46. The protection of the act to extend to persons who claim under purchasers.

47. Protection by legal estate and tacking not to be allowed, except as against estates and interests prior to commencement of registration.

48. An assurance which would have the effect of merging any interest, not to have such effect as against a subsequent purchaser of such interest, unless an entry be made to lead such purchaser to the assurance.

49. Power to any person to enter a caveat against his own acts.

50. Mode of entering caveats.

51. Caveats to protect purchasers registering within three months in the same manner as if they had taken a conveyance and registered at the time of entering the caveat. Not to protect against bankruptcy or insolvency.

52. *Certificate of Registration—Equitable Mortgage.*—"Subject to such regulations as may be from time to time made under this act, the registrar shall, upon the application of any grantee or person interested under any assurance, and registering such assurance under this act, issue to such person a certificate of such registration, and shall thereupon enter in the Index of Titles in which such assurance is entered a memorandum of such certificate; and the registrar shall, upon such certificate being delivered at the register-office for that purpose, cancel the same, and enter in the Index of Titles a note of such cancellation; And no assurance by the person to whom such certificate is issued affecting the lands affected by the assurance to which such certificate relates shall be registered until such certificate has been cancelled; And such certificate may be deposited by way of equitable mortgage by the person to whom the same has been issued, and any deposit thereof so made shall have the like effect as the like deposit of the assurance to which the same relates would have had, but it shall not be necessary to register any equitable mortgage made by deposit of such certificate."

53. Registration substituted for inrolment under the 3 & 4 Will. 4, c. 74, and the 4 & 5 Will. 4, c. 92, as respects lands in England.

54. A seal to be kept, and the impressions to be taken judicial notice of.

55. Duplicates of deposited documents may be compared at the office and certified, and to be received as evidence of registration.

56. Copies of and extracts from deposited instruments to be provided, on application, and to be certified and admitted in evidence.

57. Where there are duplicates of a registered assurance, one duplicate to be exempted from stamp duty. Exemption not to apply to counterparts of leases.

58. Memorials, office copies, extracts, and requisitions to be exempt from stamp duty.

59. Documents deposited not to be removed except on legal process.

60. Wills may be removed for probate, &c. After being proved, &c., to be returned.

61. Searches of the indexes and inspections of deposited instruments allowed on production of transferable ticket or license to search, (which are to be delivered on the registry of any document), and also searches by persons interested. Searches of the indexes to be made on requisition, and certificates given.

62. The duties of attorneys, &c. to be fulfilled by causing an office search to be made. Attorneys, &c. indemnified in relying on the accuracy of certificates.

63. Power to the registrar to order that documents to be deposited shall be written bookwise, or otherwise, &c. Additional payment by persons sending documents to be deposited which shall not be conformable with such order.

64. Power to registrar to require statements for regulating the entries to be sent with assurances.

65. No officer of the register-office to be responsible for omissions or mistakes occasioned by defects in the statement.

66. Registrar may correct errors in entries.

67. Power to the registrar, with approval of the Lord Chancellor, Master of the Rolls, and two common-law judges, to make regulations.

68. Registrar to report to the Lord Chancellor, and reports to be laid before Parliament.

69. Treasury to fix fees to be taken under this act.

70. Salaries of officers.

71. Expenses of the registry-office to be allowed out of the Consolidated Fund.

72. Power to apply monies received by office in payment of expenses.

73. Subject to the last power, all monies received by the office to be paid to the Consolidated Fund.

74. Accounts of the office to be audited.

75. Local register acts repealed.

76. Bargains and sales not to be inrolled in local offices after commencement of registration under this act, and no assurance to be registered in local offices after the 31st December, 1856.

77. Registration under this act to have the same effect against acts prior to commencement of registration as registration under local register acts.

78. Vacancies in office of register for local offices in Yorkshire not to be filled up. After the 31st December, 1856, the offices of registers for Middlesex to cease.

79. Vacancies in local register-offices prior to the 1st January, 1857, to be filled up by persons nominated by Commissioners of Treasury.

80. Provision to be made as to the custody of documents in local register-offices.

81. Copies of assurances to be made after the 31st December, 1856, by persons nominated by the Treasury to fill vacancies in local register-offices, to be good evidence.

82. Power to give compensation to officers of local register-offices.

83. Instruments required to be registered in the local register-offices may be registered in the register-office established under this act.

84. Copyhold lands not to be affected.

85. Rack-rent leases, &c. not to be affected.

86. Where possession does not go along with such lease, &c., the same to be void as against a purchaser during the interval.

87. Shares in companies not to be affected.

88. Lands within the Bedford Level not to be affected.

89. None of the exceptions to affect the provision to prevent protection by legal estates or tacking.

90. Before whom affidavits to be sworn.

91. Falsely swearing under this act to be punished as perjury.

92. Punishment for forging signatures required by the act, or counterfeiting impressions of the seal of the register-office.

93. Actions for damages occasioned by the omission or misfeasance of any officer of the register-office to be brought against the registrar. Notice to be given to the Attorney-General. The registrar not to be personally liable.

94. Provision as to costs if judgment be given for the defendant, or the plaintiff discontinue, or become nonsuit.

95. Provision for the case of a writ of error.

96. Power to the registrar to compromise any such action.

97. Limitations of actions brought under this act against the registrar, 21 Jac. 1, c. 16.

98. Actions by and against the registrar not to abate by his death, &c.

99. Power to Treasury to transfer registry of judgments, &c. to Land Register-office.

100. Treasury may alter fees. Fees to be accounted for and applied as other fees received by the registrar.

101. Compensation to senior master of Common Pleas.

102. Interpretation of terms.

London Gazettes.

TUESDAY, JULY 15.

BANKRUPTS.

WILLIAM ATLEY, Hanwell, Middlesex, market gardener, dealer and chapman, July 23 and Aug. 28 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Riches & Woodbridge, Uxbridge; Poole & Gamlen, 3, Gray's-in-square.—Petition dated July 9.

HENRY GEORGE HARRISON, King's-road, Hoxton Old-town, Middlesex, wheelwright, July 22 at 11, and Aug. 23 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. May & Sweetland, 14, Queen-sq., Bloomsbury.—Petition filed July 12.

ROBERT DAVID MERCER, Church-passage, Spital-sq., Bishopsgate-st. Without, Middlesex, silk merchant, dealer and chapman, July 19 at 1, and Aug. 30 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Bridger & Collins, 37, King William-street.—Petition dated June 30.

THOMAS WARD, Stoke Prior, Worcestershire, coal merchant, dealer and chapman, Aug. 2 and 23 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Chaplin & Co., Birmingham.—Petition dated July 10.

JAMES TEECE and THOMAS PEATE, Oswestry, Shropshire, drapers and grocers, July 30 and Aug. 20 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Sale & Co., Manchester; Motteram & Co., Birmingham.—Petition dated June 19.

BENJAMIN BAYLIS, Gloucester, woolstapler, dealer and chapman, July 28 and Aug. 25 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Lovegrove, Gloucester; Abbot & Lucas, Bristol.—Petition filed July 4.

RICHARD BUDGEN, Llanhilleth, near Newport, Monmouthshire, ironfounder, dealer and chapman, July 29 and Aug. 26 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed July 4.

THOMAS ELSON WILLIAMS, Exeter, wine and spirit merchant, July 25 at 1, and Aug. 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Jones, Exeter; Wilde & Co., College-hill, Queen-st., Chapside, London.—Petition filed June 27.

RICHARD WILLING, Ashburton, Devonshire, miller, July 24 at 1, and Aug. 20 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Geare & Co., and Stogdon, Exeter.—Petition filed July 3.

JOHN BIBBY, Llanrhaiade-yu-Mochant, Denbighshire, draper and grocer, July 28 and Aug. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Royle, Llanfyllin; Evans & Son, Liverpool.—Petition filed July 12.

ISAAC WAKEFIELD, Liverpool, tea dealer, July 28 and Aug. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Evans & Son, Liverpool.—Petition filed July 7.

HILTON KAY, ROBERT KAY, and WILLIAM KAY, Heywood, Lancashire, cotton spinners and manufacturers, July 25 and Aug. 15 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Worthington & Earle, Manchester.—Petition filed July 10.

SAMUEL JOULE and JOHN JOULE, Macclesfield and Rainow, Cheshire, ribbon manufacturers and cotton spinners, July 30 and August 20 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Parrott & Co., Macclesfield.—Petition filed July 11.

MEETINGS.

Samuel Pearse, Topsham, Devonshire, coal merchant, July 25 at 1, District Court of Bankruptcy, Exeter, last ex.—*William Farrow*, Kingston-upon-Hull, coal merchant, July 30 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Aug. 6 at half-past 12, div.—*Edwin Bliss*, Barbican, London, brushmaker, Aug. 7 at 1, Court of Bankruptcy, London, div.—*Richard Miles*, London, merchant, Aug. 5 at half-past 1, Court of Bankruptcy, London, fin. div.—*Benjamin Peach*, Gravesend, Kent, discount broker, Aug. 5 at 1, Court of Bankruptcy, London, div.—*Richard Copland*, Union-street, Whitechapel, Middlesex, linendraper, Aug. 5 at 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Harris, Buckingham, shoemaker, Aug. 5 at half-past 1, Court of Bankruptcy, London.—*Samuel Turner Jay*, Badley, Suffolk, miller, Aug. 5 at half-past 2, Court of Bankruptcy, London.—*William George Henry Taunton*, Liverpool, civil engineer, Aug. 7 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Alfred King, St. Clement's, Oxford, timber merchant.—*George William Law*, Landport, Hampshire, auctioneer.—*Robert Sheppard*, Norwich, commission agent.—*J. Hughes*, Haccoby, Lincolnshire, beast jobber.

SCOTCH SEQUESTERS.

Robert Hope, Glasgow, wine merchant.—*John Stewart* and *Malcolm Sinclair*, Glasgow, wrights.—*John Alexander*, Edinburgh, solicitor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Wright, Upton, Huntingdonshire, licensed victualler, July 30 at 10, County Court of Huntingdonshire, at Huntingdon.—*Simson Mountain*, York, railway porter, July 28 at 10, County Court of Yorkshire, at York.—*William Harding*, Paulton, Somersetshire, farrier, July 26 at 12, County Court of Somersetshire, at Clutton.—*Richard Pursey*, Leckhampton, Gloucestershire, ballier, July 29 at 10, County Court of Gloucestershire, at Cheltenham.—*Henry Thomas Atkinson Turmine*, Mile-town, Minster, Isle of Sheppy, Kent, out of business, July 21 at 10, County Court of Kent, at Sheerness.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 29 at 11, before Mr. Commissioner PHILLIPS.

Austin Butler Sickelmore, Stepney-causeway, Middlesex, general commission agent.

July 30 at 11, before the CHIEF COMMISSIONER.

Alfred James Kitchen Stalman, Sutherland-terrace, Caledonian-road, King's-cross, Middlesex, out of business.—*H. Middleton*, Marlborough-terrace, Marlborough-street, East Greenwich, Kent, grocer.—*James Donaghoe*, Witmore-road, Hoxton, Middlesex, warehouseman to a wool warehouse keeper.

Saturday, July 12.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Briggs, Stockton-upon-Tees, Durham, out of business, No. 55,163 C.; *Edward Briggs*, assignee.—*Hanora Flanagan*, Shepperton-street, Islington, Middlesex, slater, No. 62,319 T.; *James William Adlard*, assignee.—*Frederick Cleobury Mortimer Spearman*, Bennett-st., Blackfriars-road, Surrey, auctioneer, No. 62,242 T.; *John Brooks*, assignee.—*John George Storie*, Rye-lane, Peckham, Surrey, clerk, No. 62,250 T.; *John Deacon*, assignee.—*J. Parker Sparks*, Bristol, licensed victualler, No. 73,450 C.; *Wm. Perry Chilcott*, assignee.—*Wm. Courtis*, Plymouth, Devonshire, shoemaker, No. 73,543 C.; *James Herbert Smith*, assignee.—*Jos. Bowker*, Chowbent, Lancashire, flymaker, No. 73,561 C.; *Thomas Sawdon* and *George Heskeith*, assignees.—*John Dobb*, Wigan, Lancashire, manufacturing chemist, No. 73,678 C.; *Robert Daglish*, assignee.—*Thos. Payne*, Newton Abbott, Woolborough, Devonshire, innkeeper, No. 73,713 C.; *John Dinham*, assignee.—*Samuel Rimell*, Upton St. Leonard's, Gloucestershire, innkeeper, No. 73,755 C.; *Philip Newman*, assignee.—*Robert Gregory*, Hedworth-vale, near South Shields, Durham, builder, No. 73,663 C.; *John Gibson* and *William Alderson*, assignees.—*Henry Stait*, Northgate-street, Gloucestershire, grocer, No. 73,796 C.; *Wm. Henry Barrett*, assignee.—*James Taylor*, Ward-place, near Holmfirth, Huddersfield, Yorkshire, clothier, No. 73,832 C.; *Joseph Turner*, assignee.

Saturday, July 12.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Charles Squire, Old Fish-st., Doctors'-commons, London, carver: in the Queen's Prison.—*Edwin Nixon Lambert*, Carlton-buildings, Camberwell New-road, Surrey, omnibus driver: in the Gaol of Surrey.—*George Williams*, North-street, Westminster, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*John Storey*, Waterloo-road, Lambeth, Surrey, cheesemonger: in the Debtors Prison for London and Middlesex.—*John Stone Franklin*, Admiral-terrace, Vauxhall-bridge-road, Middlesex, coach builder: in the Debtors Prison for London and Middlesex.—*James Ottway*, Walker-terrace, James-st., Salmon's-lane, Limehouse, Middlesex, blacksmith: in the Debtors Prison for London and Middlesex.—*Wm. Hobden Eldridge*, Providence-buildings, New Kent-road, Surrey, tailor: in the Debtors Prison for London and Middlesex.—*Andrew Bruce*, Allan-st., Hulton-st., Islington, Middlesex, stonemason: in the Debtors Prison for London and Middlesex.—*J. Crane*, Upper John-st., Hoxton Old-town, Middlesex, jobbing smith: in the Debtors Prison for London and Middlesex.—*Henry Davis*, Bridge-st., Mile-end, Middlesex, gun maker: in the Queen's Prison.—*James Devitt*, Cross-st., Blackfriars-road, Surrey, printer's warehouseman: in the Gaol of Horsemonger-lane.—*Alfred Walker*, Southgate, Middlesex, gentleman: in the Queen's Prison.—*Henry Kay*, Silchester-road, Kensington-park, Middlesex, carpenter: in the Queen's Prison.—*Wm. Thos. Barth*, Holland-place, Clapham-road, Surrey, senior clerk in the General Post-office, London: in the Queen's Prison.—*Edward Hargrave Curtis*, Francis-street, Arnold's-place, Walworth, Surrey, not in any occupation: in the Queen's Prison.—*Wm. Sage*, High-street, Old Brentford, Ealing, Middlesex, tallow chandler: in the Debtors Prison for London and Middlesex.—*Peter Thirion*, Bow-churchyard, Cheapside, London, fur skin dresser: in the Debtors Prison for London and Middlesex.—*John William Murphy*, Quebec-street, Portman-square, Middlesex, chemist and druggist: in the Debtors Prison for London and Middlesex.—*Catherine Edmunds*, Upper Whitecross-street, St. Luke's, Middlesex, egg dealer: in the Debtors Prison for London and Middlesex.—*C. Gunnell*, Blackfriars-road, Surrey, builder: in the Gaol of Horsemonger-lane.—*James Frisby*, Cambridge, parish clerk: in the Gaol of Cambridge.—*Joseph Tolson*, Wheat House, Birkby, near Huddersfield, Yorkshire, woollen cloth merchant: in the Gaol of York.—*Joseph Butterworth*, Hanley, Staffordshire, grocer: in the Gaol of Stafford.—*John Hope*, Fir Trees, near Witton-le-Wear, Durham, master quarman: in the Gaol of Durham.—*James F. Bladen*, Wolverhampton, Staffordshire, iron manufacturer: in the Gaol of

Stafford.—*Joseph Mountford*, Birmingham, out of business: in the Gaol of Coventry.—*John Meads*, Liverpool, assistant to a bonded storekeeper: in the Gaol of Lancaster.—*Daniel A. E. James*, Coventry, provision dealer: in the Gaol of Warwick.—*John Murray*, Sunderland, Durham, ship broker: in the Gaol of Durham.—*Charles Shorrocks*, Manchester, sewing cotton manufacturer: in the Gaol of Lancaster.—*John Travis*, Redbourne, Lincolnshire, farmer: in the Gaol of Lincoln.—*Benson Whytall*, Hartlepool, Durham, cabinet maker: in the Gaol of Durham.—*George Wastell*, Wingate Grange Colliery, Durham, innkeeper: in the Gaol of Durham.—*M. Wardle*, Seaham Harbour, Durham, grocer: in the Gaol of Durham.—*Henry Silvester*, Bloomsbury Aston, Warwickshire, button maker: in the Gaol of Coventry.—*Wm. M. Fuggle*, Goudhurst, Kent, carpenter: in the Gaol of Maidstone.—*Robert Moseley*, Huddersfield, Yorkshire, corn dealer: in the Gaol of York.—*John W. Thompson*, Lancaster, attorney-at-law: in the Gaol of Lancaster.—*Wm. Parker*, Upper Norton-st., Paddington, New-road, Middlesex, publican: in the Gaol of Maidstone.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

July 29 at 11, before the CHIEF COMMISSIONER.

Henry Reynolds, Bedford-street, Mile-end-road, Middlesex, out of business.—*John C. Seipp*, Wellclose-square, Middlesex, foreign merchant.—*Wm. Withers*, First-street, Marlborough-road, Chelsea, Middlesex, distraining broker.

July 30 at 11, before Mr. Commissioner PHILLIPS.

Henry Baker, Judd-st., New-road, Middlesex, confectioner.—*Edmund Kiggins*, Wellington-st., Blackfriars-road, Surrey, dealer in drapery goods.—*Francis Robinson*, Skinner-street, Bishopsgate-st., London, pork butcher.—*Charles Westlake*, Newport-court, Middlesex, butcher.

July 31 at 11, before Mr. Commissioner PHILLIPS.

John Philpot, Victoria-road, Pimlico, Middlesex, cheesemonger.—*Edward C. Sharpe*, Hall-st., Middlesex, clerk in holy orders.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, July 28 at 10.

Thomas F. Theed, Borough Green, surgeon.—*J. Frisby*, St. Mary the Less, Cambridge, parish clerk.

At the County Court of Gloucestershire, at BRISTOL, July 30 at 10.

Richard James, Bristol, picture dealer.

At the County Court of Gloucestershire, at GLOUCESTER, July 31 at 10.

John Robins, Warren, Ailburton, dealer in sheep.

MEETING.

John P. Sparks, Bristol, licensed victualler, Aug. 7 at 11, Hobbs's, Bristol, sp. aff.

FRIDAY, JULY 18.

BANKRUPTS.

RANDALL ACRES the younger, Puckeridge, Braughing, Hertfordshire, innkeeper, dealer and chapman, July 26 and Aug. 30 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Richardson, Much Hadham, Hertfordshire; Jenkinson & Co., Clement's-lane, Lombard-st.—Petition filed July 14.

RICHARD MATTY, late of Agnes-street, Waterloo-road, Surrey, and now of Paul's Wharf, Upper Thames-street, London, fancy colour and enamelled paper manufacturer, dealer and chapman, July 26 and Aug. 30 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Loughborough, 23, Austin-friars.—Petition filed May 15.

WILLIAM BRUNSKILL, Paternoster-row, London, and York-place, Battersea, Surrey, silk and ribbon manufacturer, (carrying on business with Charles Brunskill, of the same places, under the style and firm of Charles and William Brunskill), July 25 at half-past 12, and Aug. 28 at half-past 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Crowder & Maynard, Coleman-st., London.—Petition filed July 16.

HENRY CHARLES FROST, Russell-square, Middlesex, boarding and lodging house keeper, dealer and chapman, July 26 and Aug. 30 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Steinberg, Bread-street, Cheapside.—Petition filed July 9.

ROBERT SUMMERS, Bath-street, City-road, Middlesex, pawnbroker and silversmith, Aug. 1 at 11, and Aug. 30 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Whittington, 2, Dean-street, Finsbury-sq.—Petition filed July 4.

WILLIAM BUCHANAN, Gerard-street, Soho, Middlesex, picture dealer, dealer and chapman, July 29 at 1, and Aug. 30 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Bodman, 25, Bucklersbury.—Petition filed July 16.

WILLIAM HENRY BARRETT, Gloucester, miller, and corn and flour merchant, dealer and chapman, Aug. 6 and 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bretherton, Gloucester.—Petition filed July 7.

JOHN WELCH, Nantwich, Cheshire, coach builder, July 28 and Aug. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Broughton, Nantwich, Cheshire.—Petition filed July 12.

GUNNIS LEAN OWENS, Ennisacorthy, Wexford, Ireland, woollendrapery, (trading at Manchester, Lancashire), July 29 and Aug. 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Sale & Co., Manchester.—Petition filed July 9.

MEETINGS.

Wm. Mason, St. James's-street, Westminster, Middlesex, hotel keeper, Aug. 7 at half-past 11, Court of Bankruptcy, London, ch. ass.—*John Edmondson*, Warrington, Lancashire, miller, July 29 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Geo. Sayce*, Heywood, Lancashire, grocer, Aug. 5 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Aug. 12 at 12, div.—*Robert Andrew Taylor*, Dunston, Durham, Epsom salts manufacturer, Aug. 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Henry Penman*, Sunderland, Durham, ironmonger, Aug. 14 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*William Las*, Darlington, Durham, land surveyor, Aug. 5 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Aug. 8 at 11, fin. div.—*John Suker* and *Hen. Suker*, Birkenhead, Cheshire, carpet dealers, July 31 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *John Suker*; Aug. 8 at 11, div.—*Thomas Lowndes* and *Richard Bateson*, Liverpool, brokers, Aug. 1 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 8 at 11, div.—*Edward W. Dickenson*, Liverpool, merchant, July 31 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 8 at 11, div.—*Thomas White*, Liverpool, merchant, Aug. 1 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Corner*, Liverpool, cotton broker, July 31 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 8 at 11, div.—*B. Thomas*, Liverpool, merchant, Aug. 1 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Aug. 8 at 11, div.—*J. Taylor*, Bradford, Yorkshire, worsted spinner, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*R. Glover Benson* and *N. Kinsman*, Leeds, Yorkshire, linen drapers, July 29 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. A. Dyer*, Cooper's-row, Tower-hill, London, wine merchant, Aug. 8 at half-past 1, Court of Bankruptcy, London, div.—*Robt. H. Marshall*, Plymouth, Devonshire, draper, Aug. 9 at 12, Court of Bankruptcy, London, div.—*H. Brading*, Shepherd's-walk, City-road, Middlesex, licensed victualler, Aug. 8 at half-past 11, Court of Bankruptcy, London, div.—*S. T. Jay*, Badley, Suffolk, miller, Aug. 8 at 12, Court of Bankruptcy, London, div.—*James Wilcock*, Nottingham, grocer, Aug. 15 at 10, District Court of Bankruptcy, Nottingham, second and fin. div.—*Saml. Lee*, Loughborough, Leicestershire, bookseller, Aug. 15 at 10, District Court of Bankruptcy, Nottingham, div.—*George Hall* and *F. S. Fell*, Tynemouth, Northumberland, timber merchants, Aug. 14 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Wm. Jones*, Llanrust, Denbighshire, druggist, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

J. E. Dowson, Oxford-st., St. Marylebone, Middlesex, furnishing ironmonger, Aug. 9 at 11, Court of Bankruptcy, London.—*L. D. Smith*, Little Knight-riders-street, London, calen-

derer, Aug. 9 at 1, Court of Bankruptcy, London.—*Leonard W. Lloyd*, Goldhawk-terrace, New-road, Shepherd's-bush, Middlesex, builder, Aug. 8 at half-past 12, Court of Bankruptcy, London.—*Joseph Charles Rids*, Great St. Helen's, Bishopsgate, London, wine merchant, Aug. 8 at half-past 1, Court of Bankruptcy, London.—*Wm. Watson*, Salisbury-court, Fleet-street, London, licensed victualler, Aug. 8 at half-past 1, Court of Bankruptcy, London.—*John Jackson*, Scarborough, Yorkshire, silversmith, Aug. 21 at 11, District Court of Bankruptcy, Kingston-upon-Hull.—*R. A. Taylor*, Dunston, Durham, Epsom salts manufacturer, Aug. 12 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Benjamin Thompson*, Derby, woollendrapery, Aug. 15 at 10, District Court of Bankruptcy, Nottingham.—*Horatio Black*, Nottingham, lace manufacturer, Aug. 15 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

George Wheeler, Richmond, Surrey, grocer.—*T. Clifton* and *Richard Esby Rawle*, Bristol, wine merchants.—*John Johnson*, Newcastle-upon-Tyne, banker.—*John Woodhouse*, Ripon, draper.

Refused.

T. Williams, Sandiway, Weaverham, Cheshire, innkeeper.

PARTNERSHIP DISSOLVED.

Joseph Tyler and *Joseph Francis Holmes*, South-square, Gray's-inn, Middlesex, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

M. Ross, Muirkirk, Ayrshire, brickmaker.—*Wm. S. Jack*, Lanark, merchant.—*Jas. Jackson & Co.*, Glasgow, ship agents.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Henry Teale, Chelmsford, Essex, dealer in tea, Aug. 7 at 12, County Court of Essex, at Chelmsford.—*Theo. Giles*, Southampton, ironmonger, Aug. 1 at 10, County Court of Hampshire, at Southampton.—*Thomas Elwell*, Wednesbury, Staffordshire, ironmonger, July 30 at 2, County Court of Staffordshire, at Oldbury.—*Wm. Illidge*, Wednesbury, Staffordshire, dealer in timber, July 30 at 2, County Court of Staffordshire, at Oldbury.—*Joseph Mills*, Mansfield, Nottinghamshire, miller, Aug. 6 at 10, County Court of Nottinghamshire, at Mansfield.—*J. Bonehill*, Smethwick, Staffordshire, out of business, July 30 at 2, County Court of Staffordshire, at Oldbury.—*Griffith Rogers*, Liverpool, builder, July 24 at 9, County Court of Lancashire, at Liverpool.—*Lewis Saber*, Liverpool, shopman to a furniture broker, July 24 at 9, County Court of Lancashire, at Liverpool.—*Geo. Linneker*, Norton, Derbyshire, beer-house keeper, Aug. 6 at 10, County Court of Yorkshire, at Sheffield.—*Thomas Marsden*, Sheffield, Yorkshire, razor-blade forger, Aug. 6 at 10, County Court of Yorkshire, at Sheffield.—*Thomas Carter James*, Teignmouth, Devonshire, shoemaker, Aug. 9 at 11, County Court of Devonshire, at Newton Abbot.—*Jas. Winterbon*, Colchester, Essex, plumber, Aug. 4 at 12, County Court of Essex, at Colchester.—*Wm. Christopher Winterbon*, Colchester, Essex, plumber, Aug. 4 at 12, County Court of Essex, at Colchester.—*Ebenezer Darby*, Moulsham, Chelmsford, Essex, tailor, Aug. 7 at 12, County Court of Essex, at Chelmsford.—*Thomas Harrison*, Chowbent, Atherton, Lancashire, provision dealer, Aug. 2 at 11, County Court of Lancashire, at Leigh.—*Thomas Paul*, Birmingham, last manufacturer, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*Leonard Deane*, Birmingham, huckster, July 26 at 10, County Court of Warwickshire, at Birmingham.—*Edward Samuel Haycock*, Birmingham, mathematical instrument maker, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*Darius Woollaston*, Birmingham, licensed victualler, July 26 at 10, County Court of Warwickshire, at Birmingham.—*Joseph Taylor*, Aston, Warwickshire, out of business, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*Chas. Harlow*, Birmingham, out of business, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*Elizabeth Reeves*, Mansfield, Nottinghamshire, out of business, Aug. 6 at 10, County Court of Nottinghamshire, at Mansfield.—*Nicholas Simon* the younger, Gibmeare, Bleasby, Nottinghamshire, servant to the Midland Railway Company, Aug. 12 at 10, County Court of Nottinghamshire, at Bingham.—*Thomas Norbury*, Newton Moor, near Hyde, Cheshire, licensed victualler, July 30 at 10, County Court of Cheshire, at Hyde.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Aug. 1 at 11, before the CHIEF COMMISSIONER.

Henry Calamore, Erce-cottage, New Church-road, Camberwell, Surrey, bricklayer.

Aug. 1 at 11, before Mr. Commissioner PHILLIPS.

John Austin, Middleton-street, Clerkenwell, Middlesex, tobacconist.—*Edward Hutchins*, Stanley-place, Paddington, Middlesex, out of business.

Aug. 2 at 11, before the CHIEF COMMISSIONER.

William Henry Humphrys, Greenfield-cottage, Leyton, Essex, out of business.

Aug. 2 at 10, before Mr. Commissioner LAW.

Richard Henry Jewell, Compton-street, St. John-street, Middlesex, carpenter.—*James Edward Hanger*, Basing-place, Kingsland-road, Middlesex, painter.—*Emily Sarah Ann Findlay*, widow, Marylebone-street, Golden-square, Middlesex, housekeeper.—*Alexander Aiton*, Powell-street West, King's-square, Clerkenwell, Middlesex, clerk in the General Post-office.

Aug. 4 at 11, before the CHIEF COMMISSIONER.

John Beaby, Havering-street, Commercial-road East, Middlesex, warehouseman in the employ of the London Dock Company.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 1 at 11, before the CHIEF COMMISSIONER.

Fraser Houstoun Blom, Mitcham-common, Surrey, in no business.—*Henry Pinks* the elder, Pitt-st., Commercial-road, Peckham, Surrey, out of business.—*Wm. Edw. Folliot*, Chenies-place, Somers-town, Middlesex, out of business.—*Borden Wilbor Plumb*, Clifford-st., Bond-street, Middlesex, general merchant.—*John Crane*, Upper John-street, Hoxton Old-town, Middlesex, jobbing smith.

Aug. 2 at 11, before the CHIEF COMMISSIONER.

Delabere Walker, Harp-alley, Farringdon-street, London, in no business.—*John Stone Franklin*, Admiral-terrace, Vauxhall-bridge-rd., Middlesex, out of business.—*Wm. Parry*, Whitehorse-street, Piccadilly, Middlesex, tailor.—*John Gordon Cameron*, America-sq., Minorities, London, master mariner.

Aug. 2 at 10, before Mr. Commissioner LAW.

Richard Saul, Blackfriars-road, Surrey, meat salesman.—*Reuben Brooks*, Regent-st., and Cranbourn-st., Leicester-square, Middlesex, picture dealer.—*Jonathan Jarvis*, Great Wild-st., Drury-lane, Middlesex, milkman.—*Wm. Wright*, Great Peter-st., Westminster, Middlesex, ornamental painter.—*John Thos. Austin*, Wardour-st., Soho, Middlesex, fringe manufacturer.—*Wm. Wells* the younger, Shouldham-street, Queen-st., Edgeware-road, Middlesex, out of employ.—*Ann Reynolds*, Grease-st., Rathbone-place, Middlesex, lodging-house keeper.—*James Charles Johns*, Alfred-place West, Thurlow-square, Brompton, Middlesex, not in any trade.

Aug. 2 at 11, before Mr. Commissioner PHILLIPS.

John Storey, Waterloo-road, Lambeth, Surrey, butcher.—*Wm. Job White*, King-street, Holborn, Middlesex, printer.

Aug. 4 at 11, before the CHIEF COMMISSIONER.

Joseph Jackson, Essex-place, Mile-end-road, Middlesex, superannuated clerk in the Bank of England.—*Theo. Castle*, Edward-square-mews, Kensington, commission agent.

Aug. 4 at 10, before Mr. Commissioner LAW.

James Ottway, Walker-terrace, James-st., Salmon's-lane, Limehouse, Middlesex, blacksmith.—*Wm. Hobden Eldridge*, Providence-buildings, New Kent-road, Surrey, tailor.—*Geo. Williams*, North-st., Westminster, Middlesex, cheesemonger.

Aug. 4 at 11, before Mr. Commissioner PHILLIPS.

John Ariell, Stamford-st., Blackfriars-road, Surrey, watch movement maker.—*Isaac Harris*, Rose Cottage, Peckham Rye, Surrey, grocer's clerk.—*David Wheatley*, Banbury, Oxfordshire, licensed victualler.—*Charles Lompech*, Barbican, London, teacher of the French language.—*Joseph Trevelyan* the elder, Chatham, Kent, not in any business.—*Wm. Theo. Barth*, Holland-place, Clapham-road, Surrey, senior clerk in the Secretary's Department of the General Post-office, St.

Martin's-le-Grand.—*Andrew Bruce*, Allan-st., Alton-street, Islington, Middlesex, stonemason.—*Jos. Gunning*, Rose Cottage, Junction-rd., Upper Holloway, Middlesex, law writer.

INSOLVENT DEBTORS' DIVIDENDS.

Wm. Woodley, Green-lanes, Stoke Newington, Middlesex, captain R.N.: 1s. 2d. in the pound.—*J. Chant*, Addison-place, Chelsea, Middlesex, clerk to the Colonial Land and Emigration Commissioners: 5½d. in the pound.—*Robert Stringer*, Great Yarmouth, wholesale spirit merchant: 1s. 5d. in the pound.—*Samuel Bayly*, Folkestone, Kent, grocer: 6s. 5½d. in the pound.—*John Stevenson Bushman*, Guildhall, London, student in medicine: 1s. 2½d. in the pound.—*Wm. Mortimer*, Charles-st., Hatton-garden, Middlesex, grocer: 1s. 3½d. in the pound.—*John Mason*, Lancaster, cabinet maker: 2s. 4d. in the pound.

Apply at the *Provisional Assignees' Office*, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

Wm. Marley, commander in the Royal Navy, at Galpin's, Crewkerne, Somersetshire: 3s. in the pound, (making with former divs. 13s. in the pound).

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The Jurist

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JULY 26, 1851.

PRICE 1s.

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LONDON, JULY 26, 1851.

Is the debate in the House of Commons upon the right of a Jew to take the abjuration oath without the words "upon the true faith of a Christian" has done nothing else, it has at least elicited some most marvellous attempts to mystify the House of Commons by legal subtlety:

The form of the oath of abjuration to be taken by any person elected to be a member of the Commons, before he can vote or sit, is prescribed in very distinct terms by the 1 Geo. 1, c. 13, the language of the statute being, that the persons referred to shall take the "oaths hereinafter mentioned"—words which, in plain English, mean the oaths set forth, and no others.

With so plain a guide, it would require a very subtle argument, and an equally subtle audience, to arrive at the conclusion that any other acts of Parliament, not expressly striking out of the oath the words "on the true faith of a Christian," could have the effect of making them unnecessary by law. But if the aid of other acts of Parliament is invoked, so far from shewing that those words may lawfully be eliminated from the abjuration oath, they shew just the contrary. The Roman Catholic oath, for instance, under the 10 Geo. 4, c. 7, does not contain those words; but the fact of their omission, in reference to a class of persons avowedly professing themselves Christians, and in regard to whom the words would be surplusage, if it has any bearing on the construction of the other act, rather shews, that when the Legislature used the words "on the true faith of a Christian," in speaking of the Queen's subjects generally, some of whom may not be Christians, it intended that none but Christians should enter the House of Commons. So, with regard to the exception made in favour of Quakers by the 3 & 4 Will. 4, c. 49, the words "on the true faith of a Christian" being quite unnecessary, in reference to a sect of avowedly professing Christians, their omission does not at all shew that the Legislature meant to treat them in any other

place as words of ceremony, but rather that it meant to treat them as words of substance, when speaking of persons who might or might not be Christians.

For the arguments against the substantiality of the words as part of the oath, attempted to be drawn from the practice of Courts of law in administering oaths, it seems to us that there is not the slightest foundation. For the oath to be administered by a Court of law, there is not, and never was, any particular form provided either by statute or by custom. The rule of law is, simply, that (except as to the persons expressly excepted by statute) a witness must give his evidence upon oath; and, according to the doctrine of an authority not to be disputed, (*Omichund v. Barker*, 1 Atk. 21), all that is necessary to an oath is an appeal to the Supreme Being, as thinking Him the rewarder of truth and the avenger of falsehood; and the outward act is not at law essential to the oath. So that, as regards the oath of a witness in legal proceedings, there never was any specific form essential; and therefore the fact of Courts of law permitting witnesses to vary the form of an oath, according to their peculiar religious customs, has no bearing whatever upon the question, whether, where the Legislature has prescribed a particular form, it meant that form to be varied, or abandoned altogether. But supposing the letter of the statute not to be, as we conceive it is, too precise to permit any escape, let us consider for a moment whether the oath prescribed, does not bear on the face of it internal evidence that it was meant to be confined to professing Christians. When the Legislature used the words, "I do make this recognition, &c. on the true faith of a Christian," it must have supposed, either that the declarant would be, or that he would not be, a Christian; and it must have intended the words to have some meaning. Now, if the Legislature contemplated that the declarant was to be other than a professing Christian, it would be impossible that the words should be used by him, unless the Legislature meant them to have no meaning; because when a man says either in pur-

suance of an act of Parliament, or otherwise, "I promise so and so, on the word of a gentleman—on the word of a man of honour," or, according to the old Norman expression, "foy de Chrestien," he means, or is always understood to mean, that he himself is, or professes to be, the thing to which he refers; nor would the pledgee attach the least value to the pledge, unless he so understood it. So that, if the Legislature had in its contemplation that a professing Jew should take this oath, it must have intended either that the words should have no meaning, or else that he should pledge himself upon a faith which he professedly ignores; that is, that he should pledge himself, not in reference to his own responsibilities, but to the responsibilities of some one else. Why should any tribunal be asked to pervert so monstrously the plain meaning of the English language?

In any view that can be taken of the oath of abjuration, it seems to us, that the construction put upon the law by the House of Commons, in the case before it last session, is the sound and true construction, justified by common sense—consistent with the rules of legal construction; nor do we anticipate that any amount of subtlety will induce it to reverse the judicial decision to which it then came.

Correspondence.

TO THE EDITOR OF "THE JURIST."

SIR,—It was not until yesterday that I saw your review of my work on the Law of Master and Servant. I am unwilling to suppose that the inaccuracies with which the review abounds proceed from any motive, but am ready to attribute them entirely to an unfortunate want of care: they are, nevertheless, of so much importance to me, that I trust you will, in justice to yourself and to me, cause them to be corrected in your next number.

You say, "The case of *Rez v. Dedham*, (Burr. S. C. 653), and the other important settlement cases, in which the question of what amounts to a yearly hiring was so often considered, are not cited. (*Holcroft v. Barber*, 1 Car. & K. 410; and see 6 Man. & G. 935). *Priestley v. Fowler*, (3 M. & W. 6); *Read v. Dunsmore*, (9 Car. & P. 588); *Turner v. Mason*, (14 M. & W. 112); *Lilley v. Elwin*, (12 Jur. 623); *Cussons v. Skinner*, (11 M. & W. 161); *Rez v. Islip*, (1 Str. 423), &c.,—all important cases,—are not referred to."

Now, Sir, if your reviewer had taken the trouble to read the Introduction, for the purpose of ascertaining the object of the book, and the limits within which it had been considered desirable to keep it, he would have found the following sentence:—

"It may not be superfluous to remark, that it has been considered beyond the scope and limits of this compilation to include within it the numerous decisions of the Courts in which the engagement of the servant and its conditions have become the subject of consideration merely collaterally and incidentally, as in questions concerning parochial settlement," &c.

That will sufficiently explain why "*Rez v. Dedham*, and the other important settlement cases," are excluded, and will also dispose of *Rez v. Islip*, also a settlement case.

And now to take the other cases which are stated to have been omitted:—

| | |
|------------------------------------------------------------|--------------|
| <i>Priestley v. Fowler</i> will be found at pages 1*, 5, 6 | |
| <i>Read v. Dunsmore</i> | 5 |
| <i>Turner v. Mason</i> | 2, 5 |
| <i>Lilley v. Elwin</i> | 2, 5, 12, 98 |
| <i>Cussons v. Skinner</i> | 5, |

as a reference to the table of cases would have shewn, without your reviewer troubling himself to peruse the body of a book of which he professes to be giving a fair and unprejudiced opinion.

The cases of "*Holcroft v. Barber* (1 Car. & K. 410; and see 6 Man. & G. 935)" are, therefore, the only ones remaining undisposed of. The former case, which will be found reported in 1 Car. & K. 4, is omitted, as being a case on evidence. It decided, that, to prove the engagement of an editor of a newspaper for a year, you might go into evidence of custom. And the case reported in 6 Man. & G. 935, is *Baxter v. Nurse*, which will be found in the first page of my book; nay, is the very first case cited.

To the earlier part of the review I say nothing; you have a right to your opinion, and are at liberty to express it as you please; nor will I deny that I could have desired to have occupied much more space in the preliminary portion of the book; but the part to which I have particularly called your attention is so grossly erroneous, that I cannot permit it to pass unnoticed, and I trust to your sense of candour and fairness to rectify the mistakes above referred to.

I am, Sir, your very obedient servant,

CHARLES J. B. HERTSLET.

2, Middle Temple-lane,
July 24, 1861.

We should be very sorry if we had given Mr. Hertslet any just ground of complaint; but we believe, that though his present statement is to a great extent literally correct, it does not affect the substantial accuracy of our review, or better his position.

With respect to the settlement cases, we were aware of the passage cited by Mr. Hertslet from the Introduction to his book; but as that passage contains no apology or excuse for the omission which it confesses, it was unnecessary to refer to it. The settlement cases constitute the principal authorities on the question, whether a given hiring is to be considered as a hiring for a year, or as a hiring for a shorter period; and though, in each case, that question was merely incidental to the question of settlement, it was the principal, or rather the only, point in the case. Surely Mr. Hertslet is aware of the difference, to a lawyer, between the point at issue between the parties to a case, and the legal points which may be decided on it. *Rez v. Scammonden* (3 T. R. 474) was a settlement case, but its only importance is as an authority on the question of estoppel by deed. So, *Rez v. Longnor* (4 B. & Ad. 647) is only cited as an authority on the execution of deeds. Mr. Hertslet therefore confirms our statement, that he has omitted these important cases; but he does not "sufficiently explain" why he has omitted them. In the next sentence in his Introduction he says that he has not deemed it "necessary to insert the enactments relating to the combinations of workmen;" yet the title of his book promises "the principal statutes relating to workmen, the settlement of disputes," &c. Mr. Hertslet cannot think that he makes amends for the imperfections of his book by confessing them in a preface.

Next as to the case of *Holcroft v. Barber*. The point decided in that case was, that a custom to engage editors of newspapers for a year was not binding and inflexible, but merely furnished a presumption, and might not apply to the commencement of a new undertaking. When Mr. Hertslet says that that was a

* [We cannot find the case in this page].

mere point of evidence, not affecting the law as to contracts of hiring, he only affords an additional proof of the justice of our general criticism on his abilities as a text-writer. We never charged Mr. Hertalet with the omission of *Baxter v. Nurse*, but merely referred to 6 Man. & G. 935, as material to be considered with *Holcroft v. Barber*.

Lastly, as to the other cases charged to be omitted, Mr. Hertalet is quite right in his statement, that they are referred to in his book, though one reference, copied from the table of cases, (*Priestley v. Fowler*, p. 1), is erroneous; and if we had studied his book as carefully as we should have done if it had been worth the labour, our statement as to those cases might have been qualified by the observation, that though they were not referred to in the place where they ought to be found, they were mentioned in a different place. The statement of which he complains consists of a quotation from the first section of a treatise on "The Law relating to Master and Servant," the whole of which treatise is comprised in twelve duodecimo pages, (the rest of the book consisting of statutes, printed in extenso, with a very few notes). That first section is intitled "The Contract of Hiring," and it contains the following passage, with the references:—"For what amounts to a yearly hiring". For what is a sufficient notice of dismissal without warning". Moral misconduct, wilful disobedience, or habitual neglect, must be proved to justify the immediate discharge of a yearly servant". The figures refer to notes of cases at the foot of the page, which complete the imperfect sentences in the text. We cited this passage with the notes verbatim; and we said that we expected to find there, not a mere enumeration of the cases, but a statement of the point decided; and added, that there was not even a reference to the important cases of *Holcroft v. Barber*, &c. That statement was strictly correct. The first section of Mr. Hertalet's book—"On the contract of hiring"—consisting of two pages and a half, in which, we have seen, he professes to refer to the authorities on the subject of dismissal for misconduct, concludes without any reference to the cases charged by us to be omitted. This is all that we asserted. Mr. Hertalet's defence is, that though it is true that those cases are not cited in the place where he professes to refer to the authorities on the points to which they relate, and though in that place there is no reference to any other part of the book for further scraps of information, there are other parts of the book where references to them may be found. If we had known the fact to be so, we should have qualified our statement, but it would have only furnished ground for a remark on Mr. Hertalet's neglect of method and arrangement, even within the narrow limits of a treatise of twelve pages, divided into three sections.

We did not profess to point out all Mr. Hertalet's omissions, because we thought his work of too little importance; but as the accuracy of our criticism has been impugned, we may now add, that the result of ten minutes' search has been, that the following cases "on the law of master and servant, comprising domestic and menial servants, and clerks, husbandmen, and persons employed in the different manufactures," are not to be found even in the table of cases to a work which professes to contain "all the cases to the present time," (1850)—(we have already mentioned the numerous cases on a yearly hiring, which assume the form of "*Rex or Reg. v. The Inhabitants of* —"):—*Johnson v. Blenkinsop*, (5 Jur. 870); *Wallis v. Day*, (2 M. & W. 273); *The Countess of Plymouth v. Throgmorton*, (1 Salk. 65); *Cutter v. Powell*, (6 T. R. 320); 2 Smith's L. C. 1); *Elderton v. Emmens*, (4 C. B. 479); *Pilkington v. Scott*, (15 M. & W. 657); *Hartley v. Cummings*, (5 C. B. 247); *Williamson v. Taylor*, (5 Q. B. 175); *Aspdin v. Austen*, (Id. 671); *Dunn v. Sayles*,

(Id. 685); *Paganini v. Gandolfi*, (2 Car. & P. 371); *Dunn v. Murray*, (9 B. & Cr. 780); *Davies v. Davies*, (9 Car. & P. 87); *Alfred v. Fitzjames*, (3 Esp. 3); *Phillips v. Jones*, (1 Ad. & El. 333); *Cleworth v. Pickford*, (7 M. & W. 314); *Reg. v. Smith*, (8 Car. & P. 153); *Wilkinson v. Garton*, (9 Q. B. 137); *Burgess v. Beaumont*, (7 Man. & G. 962). We have no doubt that we might go on for several hours at the same rate, without exhausting the investigation of Mr. Hertalet's sins of omission.

REGULA GENERALIS.

ORDER OF COURT.

Wednesday, the 16th July, 1851.

THE Right Hon. THOMAS LORD TRURO, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. Sir JOHN ROMILLY, Knt., Master of the Rolls, and the Right Hon. the Vice-Chancellor Sir JAMES LEWIS KNIGHT BRUCE, the Right Hon. the Vice-Chancellor ROBERT MOUNSEY LORD CRANWORTH, and the Right Hon. the Vice-Chancellor Sir GEORGE JAMES TURNER, Knt., doth hereby order and direct in manner following, that is to say:—

I. That when any property is directed to be sold before the Master, the Master shall be at liberty to order the same to be sold at such place, either in London or in the country, and by such person, as he shall think fit.

II. That when any property is directed to be sold before the Master, the Master shall be at liberty to fix a reserved bidding for the same, if sold entire; or if sold in lots, one bidding for each lot; and such reserved bidding shall be made one of the conditions of sale under which the said property shall be sold; and in order that the Master may form his judgment as to such reserved bidding, the parties shall carry in before him such proposals as they may think fit. And the Master shall use his discretion as to communicating such reserved bidding to the parties, or any of them, or their solicitors; and the Master, previously to such sale, if he shall think fit, shall cause to be put under a sealed cover, and to be delivered to the person appointed to sell, a note in writing of the sum at which he shall fix such reserved bidding for each lot. And in case no person shall bid a price equal to, or higher than, the sum mentioned in the said note, then the Master, or the person appointed by him to sell the said property, shall declare that such lot is not sold, but has been bought in on account of the persons interested in or entitled to the property.

III. That when any property is directed to be sold before the Master, the Master shall be at liberty to fix an amount to be paid as a deposit by the purchasers respectively at such sale, and to appoint some proper person to receive the same, who, if required by the Master, shall give security, to be approved of by the Master, duly to account for and pay what he shall receive in respect of such deposit, in such manner as the Court shall have directed with respect to the monies to arise from such sale, and the person appointed to receive such deposits shall, within such time as the Master shall appoint, and without any special order for the purpose, pay the monies which he shall receive in respect thereof (the amount of such monies to be certified by the Master) in such manner as the Court shall have directed with respect to the monies to arise from the sale.

IV. That when any property is directed to be sold before the Master, the Master shall be at liberty, either before or after such property shall have been put up

for sale by public auction, to receive proposals for the sale thereof, or of any part thereof, by private contract, and he shall make his report thereof, with his opinion thereon, to the Court, which report shall be submitted to the Court for confirmation, in the same manner as reports made upon special reference as to sales by private contract.

(Signed) **TAURO, G.**

JOHN ROMEY, M.R.

J. L. KNIGHT, BRUCE, V. C.

GRANWORTH, V. C.

G. J. TURNER, V. C.

London Gazette.

TUESDAY, JULY 24

BANKRUPTCY.

SAMPSON CLAY BEASTALL and WILLIAM MATHER, High-street, Kensington, Middlesex, hatters, dealers and chapmen, July 28 and Aug. 28 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Hardwick & Co., Western-hall, Basinghall-street.—Petition dated July 10.

SAMUEL DIXON, Leeds, Yorkshire, draper, dealer and chapman, Aug. 1 at half-past 1, and Sept. 4 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Blackburn, Leeds; Sole & Turner, 68, Aldermanbury.—Petition dated July 12.

ADOLF HEILBRONN and JOHN HARRISON, Great St. Helen's, London, drysalter, and importers of and dealers in essential oils, dealers and chapmen, (trading under the style or firm of Adolf Heilbron & Co.), Aug. 1 and 29 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Messrs. Linklater, Charlotte-row, Mansion-house; Cox, Pinner's-hall, Old Broad-street.—Petition dated July 17.

JOSEPH MITCHELL, Camden-street, Camden-town, Middlesex, carpenter and builder, Aug. 1 at half-past 12, and Aug. 29 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Turner, 39, Chatter-street, City-road.—Petition dated July 18.

ZECHARIAH WARREN, Ardleigh, Essex, miller, dealer and chapman, July 30 at 12, and Sept. 3 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Barnes, Colchester, Essex; Wire & Child, Swithin's-lane, London.—Petition filed July 17.

GEORGE EDWIN DEELEY, Brunswick-terrace, Trinity-street, Dover-road, Newington, Surrey, ironfounder, dealer and chapman, July 30 and Sept. 3 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Long, 1, Gray's-inn-place.—Petition filed July 16.

GEORGE KEMPSON, Clifton, Bedfordshire, pork butcher, dealer and chapman, July 30 at 2, and Sept. 3 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Austin, Shefford, Bedfordshire; Trinder & Eyre, 1, John-street, Bedford-row, London.—Petition filed July 12.

JOSEPH ROYCE, Nottingham, currier, leather cutter, dealer and chapman, Aug. 1 and 29 at half-past 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Bowley, Nottingham; Hodgson, Birmingham.—Petition dated July 9.

THOMAS PAINTER, Okehampton, Devonshire, builder, dealer and chapman, Aug. 6 and 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Stogdon, Exeter; Fryer, St. Thomas's, near Exeter.—Petition filed June 27.

SYDENHAM VINOENT BURGE, Taunton, Somersetshire, saddler and harness maker, dealer and chapman, Aug. 6 and 26 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Woodland, Taunton; Stogdon, Exeter.—Petition filed July 10.

WILLIAM PASHLEY and FRANCIS PASHLEY, Sheffield, Yorkshire, table knife and bone button manufacturers, Aug. 9 and 30 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Fernell, Sheffield.—Petition dated and filed July 19.

WILFRED MOONEY and THOMAS WILSON, Liverpool, corn merchants, dealers and chapmen, July 31 and Aug. 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Daly, Liverpool.—Petition filed July 17.

GORDON JOHN JAMES GRANT, Liverpool, tobacco broker, July 31 and Aug. 28 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Lacey & Co., Liverpool; Wadson & Co., London.—Petition filed July 9.

THOMAS BROWN, Sunderland, Durham, shipowner and banker, July 31 at 1, and Aug. 26 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hoyle, Newcastle-upon-Tyne; Messrs. Moore, Sunderland; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed June 28.

MEETINGS.

William Smith, William Sowden, and John Sowden, Warrington, Lancashire, cotton manufacturers, Aug. 1 at 11, District Court of Bankruptcy, Liverpool, ch. ass.—**John Davidson and Richard Davidson**, South Shields, Durham, butchers, Aug. 5 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of **John Davidson**.—**Sarah Day**, Coventry, ribbon manufacturer, Aug. 2 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—**Thomas Humpage Butler**, Lichfield, ironmonger, Aug. 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—**J. Jones the younger and T. Oakes**, Kingswinford, Staffordshire, ironmasters, Aug. 21 at 12, District Court of Bankruptcy, Birmingham, aud. ac. and div.—**Ralph Hills**, Downham, Isle of Ely, Cambridgeshire, grocer, Aug. 12 at 12, Court of Bankruptcy, London, div.—**John Jones**, Brynmawr, Llanelli, Breconshire, coal merchant, Aug. 14 at 11, District Court of Bankruptcy, Bristol, div.—**Robert Gordon Roberts**, Liverpool, timber merchant, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, div.—**Patrick Adair Black and John Whittingham**, Liverpool, general brokers, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of **Patrick Adair Black**.—**Charles Roope**, Liverpool, wine merchant, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, div.—**John Horrocks**, Liverpool, stone merchant, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, div.—**Wilson Forster and John Dodgson**, Liverpool, merchants, Aug. 12 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless cause be shown to the contrary on or before the Day of Meeting.

Charles Thomas Spencer Devey, Woburn, Bedfordshire, auctioneer, Aug. 13 at half-past 11, Court of Bankruptcy, London.—**George Frederick Jones**, East Isley, Berkshire, surgeon, Aug. 13 at 12, Court of Bankruptcy, London.—**Walter Long Bozzi Granville**, Red Lion-square, Middlesex, agricultural implement maker, Aug. 13 at 11, Court of Bankruptcy, London.—**Wm. Burrows**, Park-street, Islington, Middlesex, surgeon, Aug. 12 at 12, Court of Bankruptcy, London.—**Samuel George Quartermaine**, Eaton-mews West, Piccadilly, Middlesex, horse dealer, Aug. 12 at 11, Court of Bankruptcy, London.—**Thomas Moore the younger**, South Hylton, Durham, merchant, Aug. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.

To be granted, unless an Appeal be duly entered.

John Marshall, Southampton, coal merchant.—**William Lane Martin**, Gravesend, Kent, ironmonger.—**John Woodin**, Matilda-street, Islington, Middlesex, upholsterer.—**J. Glasspool**, Regent-street, Middlesex, shoemaker.—**Thos. Humpage Butler**, Lichfield, ironmonger.—**James Radley**, Oldham, Lancashire, cotton spinner.—**John Corker Whittaker**, Manchester, licensed victualler.

SCOTCH SEQUESTRATION.

Taylor and Cameron, Edinburgh, fleshers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Melton, Market Rasen, Lincolnshire, plumber, Aug. 29 at 11, County Court of Lincolnshire, at Market Rasen.—**Wm. Edwards**, Newton, near Gosport, Hampshire, clerk, Aug. 26 at 10, County Court of Hampshire, at Portsmouth.

—*William Hall* the younger, Shelton, Staffordshire, potter, July 30 at 10, County Court of Staffordshire, at Hanley.—*James Tucker*, Bristol, butcher, July 30 at 11, County Court of Gloucestershire, at Bristol.—*James Taylor*, Bristol, cabinet maker, July 30 at 11, County Court of Gloucestershire, at Bristol.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Aug. 5 at 11, before the CHIEF COMMISSIONER.

Wm. Taylor the younger, Upper Seymour-street, Somers-town, Middlesex, in no business.

Saturday, July 19.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

John Crawford, Newcastle-upon-Tyne, iron founder, No. 73,864 C.; *Henry Hudson*, assignee.—*Sarah Elston*, widow, Deeping St. James, Lincolnshire, out of business, No. 73,777 C.; *Edward John Howman* and *Timothy Steward*, assignees.—*John Sykes*, Housley, near Middlesbrough, Yorkshire, grocer, No. 73,801 C.; *Samuel Cropland*, assignee.—*Joseph Fisher*, Leeds, Yorkshire, grocer, No. 73,847 C.; *Francis H. Vant*, assignee.—*Kennedy Crawford*, Great Norfolk, Norfolk, linen draper, No. 73,837 C.; *James Thompson*, assignee.—*William Hall*, Newcastle-upon-Tyne, furrier, No. 73,866 C.; *Bethel Ware*, assignee.—*Henry Loekyer*, Southampton, leather seller, No. 73,378 C.; *Matthew Whiting*, assignee.—*Saml. Goddard*, Wisbech St. Peter, Cambridgeshire, bookseller, No. 73,760 C.; *Frederick Ullmer* and *Henry Watts*, assignees.

Saturday, July 19.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions):

Edward Scriven, Winchester-street, Agar-town, Camden-town, Middlesex, coach-lining scourer: in the Debtors Prison for London and Middlesex.—*Robert Yorston*, Clifford's-inn, St. Dunstan's-in-the-West, London, accountant: in the Debtors Prison for London and Middlesex.—*John T. Tidd*, Market-terrace, Southgate-road, Kingland, Middlesex, secretary to the Islington Cattle Market Company: in the Debtors Prison for London and Middlesex.—*Thos. Hughes*, Bishops-gate-street Without, London, in no trade: in the Debtors Prison for London and Middlesex.—*Henry L. Patterson*, Ludgate-st., London, tailor: in the Debtors Prison for London and Middlesex.—*Henry Woolcott*, New Oxford-street, Middlesex, fringer, tassell, and gypm manufacturer: in the Debtors Prison for London and Middlesex.—*F. Braithwaite*, Gower-street, Bedford-sq., Middlesex, civil engineer: in the Queen's Prison.—*Frederick Teesdale*, Jockey's-fields, Middlesex, cattle dealer: in the Debtors Prison for London and Middlesex.—*William Russ*, North-street, Manchester-square, Middlesex, milkman: in the Debtors Prison for London and Middlesex.—*Joseph Stammers*, Church-street, Paddington, Middlesex, comedian: in the Queen's Prison.—*Wm. Jones*, Harrison-st., Gray's-inn-road, Middlesex, law stationer: in the Debtors Prison for London and Middlesex.—*G. Brumby*, Liverpool, assistant to a car proprietor: in the Gaol of Lancaster.—*Thomas Barrett*, Bootle, near Liverpool, ship smith: in the Gaol of Lancaster.—*Arthur Belcher*, Liverpool, cattle salesman: in the Gaol of Lancaster.—*John Deggars*, Preston, Lancashire, dealer in millinery goods: in the Gaol of Lancaster.—*Charles Edwards*, Tor, Tormoham, Devonshire, out of business: in the Gaol of St. Thomas the Apostle.—*Joshua Harris*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*James Nuttall*, Bury, Lancashire, beerseller: in the Gaol of Lancaster.—*James Poole*, Chettescombe Barton, Tiverton, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*Horace Syder*, Liverpool, joiner: in the Gaol of Lancaster.—*Jesse Terrey*, Rowell, near Kettering, Northamptonshire, tinman: in the Gaol of Northampton.—*Thomas Wright*, Salford, Lancashire, joiner: in the Gaol of Lancaster.—*M. Wilkinson*, Laneslaw-bridge, near Colne, Lancashire, shawl manufacturer: in the Gaol of Lancaster.—*John Spenceley*,

Kingaton-upon-Hull, licensed victualler: in the Gaol of Kingston-upon-Hull.—*Wm. H. Wild*, Manchester, grocer: in the Gaol of Lancaster.—*Thos. Windlow*, South Shields, Durham, cabinet maker: in the Gaol of Durham.—*Davenport Welch Collyns*, Swindon, Wiltshire, attorney-at-law: in the Gaol of Fisherton Anger.—*Joseph Atkinson*, Rockcliffe, Cumberland, grocer: in the Gaol of Carlisle.—*John Ratcliffe*, Stanstead, Mountfitchet, Essex, plumber: in the Gaol of Springfield.—*Bartrup Crump*, Dover, Kent, omnibus driver: in the Gaol of Dover.—*James Summerfield*, Ardswood, near Stockport, Cheshire, farmer: in the Gaol of Chester.—*John Chapman*, Vallis Way, Frome Selwood, Somersetshire, cloth manufacturer: in the Gaol of Wilton.—*Mary Ann Clarke*, Slough, Buckinghamshire, out of business: in the Gaol of Aylesbury.—*John Harding*, Deptford, Kent, appraiser: in the Gaol of Maidstone.—*Alex. Macdonnell*, Oldham, Lancashire, grocer: in the Gaol of Lancaster.—*Samuel Clarke*, Manchester, grocer: in the Gaol of Lancaster.—*James Isled*, Northfleet, Kent, beerseller: in the Gaol of Maidstone.—*Emmeline Parsons Lillierup*, East Stonehouse, Devonshire, in no business: in the Gaol of St. Thomas the Apostle.—*William Francis Macmian*, Llanwchlyn, Merionethshire, provision merchant: in the Gaol of Dolgelly.—*Joseph Robinson*, Manchester, hair-dresser: in the Gaol of Lancaster.—*Thomas Smith*, Rectory-grove, Woolwich, Kent, carpenter: in the Gaol of Maidstone.—*John Blagbrough*, Northwram, near Halifax, Yorkshire, out of business: in the Gaol of York.—*David Byford*, Chatham, Kent, band master of her Majesty's ship Trafalgar: in the Gaol of Maidstone.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Aug. 5 at 11, before the CHIEF COMMISSIONER.

Hubert Daefrae, Great Prescott-street, Goodman's-fields, Middlesex, boarding-house keeper.—*Andrew William Irwin*, Bell-yard, Fleet-street, London, plumber.—*James Harding*, Guildford, Surrey, architect.—*Richard Forrest*, Battersea, Surrey, landscape gardener.—*James Edmund Wood*, New-square, Minorities, London, engraver.—*Catherine Edmunds*, widow, Upper Whitcross-st., St. Luke's, Middlesex, out of business.—*James Robertson Anderson*, Great Queen-street, Lincoln's-inn-fields, Middlesex, comedian.

Aug. 5 at 10, before Mr. Commissioner LAW.

William Sage, Old Brentford, Ealing, Middlesex, tobacco chandler.—*Thomas Mylam Morion*, Charles-street, Goswell-road, Middlesex, out of business.—*Robert Yorston*, Clifford's-inn, City, accountant.—*Wm. Heath Broude*, Deptford, Kent, builder.—*James Simpson*, Pollard's-row, Bethnal-green-road, Middlesex, commission agent.—*John Wm. Murphy*, Quebec-street, Portman-square, Middlesex, chemist.

Aug. 5 at 11, before Mr. Commissioner PHILLIPS.

John Fiddes, Canal-terrace, Camden-town, Middlesex, bill discounter.—*Wm. Jones*, Harrison-st., Gray's-inn-road, Middlesex, out of employment.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Aug. 1 at 11.

Henry Leigh, Staleybridge, Cheshire, out of business.—*J. Meads*, Liverpool, bill discounter.—*Horace Syder*, Liverpool, joiner.—*Arthur Belcher*, Liverpool, out of business.—*George Brumby*, Liverpool, dealer in horses.—*John Willock Thompson*, Lancaster, attorney-at-law.—*Jos. Pearson*, Staleybridge, Cheshire, grocer.—*Wm. Wetherill*, Liverpool, county police officer.—*Holland Massey*, Houghton, near Ashton-under-Lyne, provision dealer.—*Matthew Wilkinson*, Laneslaw Bridge, near Colne, draper.—*John Deggars*, Preston, dealer in millinery.—*Thos. Wright*, Salford, out of business.—*Josh. Harris*, Salford, out of business.—*Thos. Barratt*, Liverpool, smith.

At the County Court of Devonshire, at EXETER, Aug. 2 at 10.

John Journeaux, St. Thomas the Apostle, following no business.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Aug. 4 at 10.

John Worth the younger, Salter's Lode, Denver, near Downham Market, carpenter.

At the County Court of Essex, at CHELMSFORD, Aug. 7.

John Ratcliffe, Stanstead, Mountfitchet, painter.—*Edward Knight*, Great Dunmow, farmer.

At the County Court of Kent, at MAIDSTONE, Aug. 5.

John Harding, Deptford, appraiser.—*James Isted*, Northfleet, carpenter.—*John George Nicholson*, Woolwich, out of business.—*Wm. Merchant Puggie*, Goudhurst, carpenter.—*David Byford*, Chatham, out of business.—*William Parker*, Upper Norton-street, Paddington New-road, Middlesex, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

E. H. Powell, Knaresborough, Yorkshire, attorney-at-law: 5s. 9½d. in the pound.—*T. C. Crutchley*, Ashmore Lake, Willenhall, Staffordshire, carpenter: 9½d. in the pound.—*C. Weller*, Rectory Cottages, North Kingsland, Middlesex, auctioneer: 5½d. in the pound.—*John Mark* the younger, Chapman-place, Dover-road, Surrey, baker: 3s. 6d. in the pound.—*Thos. Wenborn*, jun., Norris-st., Haymarket, Middlesex, shoemaker: 3s. 6d. in the pound.—*John Valentine Austin*, deceased, Bread-st.-hill, Cheapside, London, clerk: 6s. 1d. in the pound.—*Daniel Davis Slade*, Leicester, chemist: 3d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETINGS.

Thomas Alesworth, Liverpool, merchant, Nov. 18 at 12, Court-house, Portugal-st., Lincoln's-inn-fields, London, sp. aff.—*Samuel Penn* the elder, Birmingham, steam-engine boiler manufacturer, Aug. 8 at 12, Benson's, Birmingham, sp. aff.

FRIDAY, JULY 25.

BANKRUPTS.

HENRY JAMES ELLIS, Rotherhithe-wall, Rotherhithe, Surrey, ironmonger, dealer and chapman, (trading under the style of Henry Ellis & Co., and formerly in partnership with one John Greig, and then trading with him at Rotherhithe-wall aforesaid, under the firm of Greig & Ellis, ironmongers), Aug. 6 at half-past 12, and Sept. 3 at 11, Court of Bankruptcy, London: Off. Ass. Stanfeld; Sol. Carpenter, 64, Old Broad-street, City.—Petition filed July 22.

THOMAS HAMMOND, Conduit-street, Westbourne-terrace, Paddington, Middlesex, boot and shoe maker, Aug. 1 at half-past 11, and Sept. 3 at 2, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hartley, Southampton-street, Bloomsbury.—Petition filed July 22.

JOSEPH ALLANSON, Kirby Moorside, Yorkshire, draper and grocer, Aug. 15 and Sept. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Shackles & Son, Hull.—Petition dated and filed July 21.

WILLIAM BENJAMIN RICHARDS, Hill Top, West Bromwich, Staffordshire, grocer and provision dealer, Aug. 9 at half-past 10, and Aug. 26 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Holland, West Bromwich; Hodgson, Birmingham.—Petition dated July 19.

ROBERT BEW, Selby, Yorkshire, grocer and tea dealer, dealer and chapman, Aug. 15 and Sept. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Weddall & Parker, Selby; Bond & Barwick, Leeds.—Petition dated and filed July 23.

THOMAS IRLAM and **VINCENT WANOSTROCHT**, WANOSTROCHT, Liverpool, brokers and shipowners, (carrying on business under the firm of Irlam & Wanostrocht), Aug. 7 and Sept. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Miller & Peel, Liverpool; Sharp & Co., London.—Petition filed July 22.

JOHN NURTHING BATESON, Haworth-cross, Rochdale, Lancashire, cotton spinner, dealer and chapman, Aug. 5 and 26 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Harper, Bury; Bennett, Manchester.—Petition filed July 16.

MEETINGS.

Charles Chaplin, Sudbury, Suffolk, printer, Aug. 6 at 1, Court of Bankruptcy, London, aud. ac.—*Frederick Rodbard*, Croydon, Surrey, schoolmaster, Aug. 15 at half-past 11, Court of Bankruptcy, London, aud. ac.—*W. Andrew Dyer*, Cooper's-row, Tower-hill, London, wine merchant, Aug. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Charles Satter* and *Rich. Morris Evans*, Upper King-street, Bloomsbury, Middlesex, and Cornhill, London, tailors, Aug. 5 at 12, Court of Bankruptcy, London, aud. ac.—*Samuel Grinstead*, Brighton, Sussex, licensed victualler, Aug. 5 at 1, Court of Bankruptcy, London, aud. ac.—*Samuel Williamson Isherwood*, Kingston-upon-Hull, woollendrapers, Aug. 6 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*John Scott* and *John Scott* the younger, North Shields, Northumberland, shipowners, Aug. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac. sep. est. of *John Scott*; Aug. 26 at half-past 1, sep. est. of *John Scott* the younger.—*Thomas Storer Dobinson*, Tynemouth, Northumberland, banker, Aug. 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Thomas Moore* the younger, South Hylton, Durham, merchant, Aug. 21 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*James Clark*, Exeter, builder, Aug. 5 at 11, District Court of Bankruptcy, Exeter, aud. ac.—*John Powlesland*, South Tawton, Devonshire, dealer in seeds, Aug. 6 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Aug. 20 at 11, div.—*Frederick Jones*, Ventnor, Newchurch, Isle of Wight, Southampton, apothecary, Aug. 15 at 12, Court of Bankruptcy, London, div.—*Edmund Francis Green*, Leadenhall-street, London, merchant, Aug. 15 at half-past 12, Court of Bankruptcy, London, div.—*William Grayson*, Mortlake, Surrey, market gardener, Aug. 15 at 12, Court of Bankruptcy, London, div.—*Francis Copland*, Park-place, Paddington, Middlesex, out of business, Aug. 15 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Frederick Rodbard, Croydon, Surrey, schoolmaster, Aug. 15 at half-past 11, Court of Bankruptcy, London.—*Henry Scale*, Britton Ferry Iron-works, near Neath, Glamorganshire, iron manufacturer, Aug. 21 at 12, District Court of Bankruptcy, Bristol.—*Wm. Henry Edwards*, Leeds, Yorkshire, hosier, Aug. 15 at 11, District Court of Bankruptcy, Leeds.—*Thomas Storer Dobinson*, Tynemouth, Northumberland, banker, Aug. 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*John Scott* and *John Scott* the younger, North Shields, Northumberland, shipowners, Aug. 26 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thomas Pearson*, Cann House, Plympton St. Mary, Devonshire, merchant, Aug. 21 at 11, District Court of Bankruptcy, Plymouth.

To be granted, unless an Appeal be duly entered.

Joseph Cerrito, Mincing-lane, London, merchant.—*Thos. Hatfield* and *Robt. Hatfield*, Clapham, Surrey, plumbers.—*W. Coe*, Blomfield-terrace, Harrow-rd., Middlesex, stockbroker.—*William Chittenden*, Tarrington-place, and Church-street, Paddington, Middlesex, draper.—*James Holden*, Salford, Lancashire, licensed victualler.—*James Taylor*, Bradford, Yorkshire, worsted spinner.

SCOTCH SEQUESTRATIONS.

Alexander Carswell, Greenock, shipbuilder.—*John Grant*, Glasgow, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Francis Radnall, Wolverhampton, Staffordshire, writing clerk, July 28 at 12, County Court of Staffordshire, at Wolverhampton.—*George White*, Walsall, Staffordshire, clerk to an iron merchant, July 31 at 12, County Court of Staffordshire, at Walsall.—*Robert Wicks*, Ingham, near Statham, Norfolk, farming bailiff, Aug. 9 at 11, County Court of Norfolk, at North Walsham.—*Abraham Henthorn*, Rochdale, Lancashire, stonemason, Aug. 14 at 12, County Court of Lancashire, at Rochdale.—*William Miles*, Worcester, paper dealer, Aug. 26 at 10, County Court of Worcestershire, at

Droitwich.—*Henry Baker*, Hanbury, Worcestershire, out of business, Aug. 26 at 10, County Court of Worcestershire, at Droitwich.—*Samuel Devereux*, Worcester, gardener, Aug. 13 at 10, County Court of Worcestershire, at Worcester.—*George Wmsell*, Worcester, coach builder, Aug. 13 at 10, County Court of Worcestershire, at Worcester.—*William Porteous*, Quatre Bras, near Hexham, Northumberland, market gardener, Aug. 18 at half-past 11, County Court of Northumberland, at Hexham.—*William Henderson*, Bishopside, near Allendale-town, Northumberland, farmer, Aug. 18 at half-past 11, County Court of Northumberland, at Hexham.—*Joseph Cox*, Tipton, Staffordshire, pork butcher, Aug. 7 at 12, County Court of Worcestershire, at Dudley.—*William Sparrowe*, Brighton, Sussex, auctioneer, Aug. 1 at 12, County Court of Sussex, at Brighton.

The following Person, on his Petition filed in the Court, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

July 29 at 11, before Mr. Commissioner PHILLIPS.

Charles Hypollitus Mansell, Viscount de Sequeville, Great Russell-st., Bloomsbury, Middlesex, following no trade.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, Aug. 14 at 10.

Bartrup Crump, Dover, omnibus driver.

At the County Court of Sussex, at LEWES, Aug. 12.

Nathaniel Morling, Brighton, out of business.—C. Steele, Worth, blacksmith.

At the County Court of Durham, at DURHAM, Aug. 8.

Wm. Dobbing, Bishopwearmouth, out of business.—Peter Mills, Bishopwearmouth, shipowner.—Thos. Windlow, South Shields, cabinet maker.—W. Harrison, Hartlepool, draper.—George Westall, Wingate Grange Colliery, innkeeper.—M. Wardle, Seaham Harbour, grocer.—John Hope, Tow Law, master quarryman.—John Murray, Sunderland, insurance broker.—Benison Whytall, Hartlepool, cabinet maker.

The Queen has been pleased to nominate and appoint Charles Romilly, Esq., to be clerk of the Crown in Chancery, in the room of Charles Edward, Earl of Cottenham, resigned.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*Henry Wilcocks Hooper*, of Exeter; *James Benson*, of Birmingham; *Thomas Addenbrooke*, of Stourbridge, Worcestershire; *William Woodlock*, of Black Rock, Dublin.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—*Charles Stockdale Benning*, of Dunstable, Bedfordshire, in and for the county of Bedford, also in and for the counties of Hertford and Buckingham; *Richard Toller*, of Leicester, in and for the county of Leicester.

MEMBERS RETURNED TO SERVE IN PARLIAMENT.—*Thomas Collins the younger*, Esq., for the borough of Knaresborough, in the room of the Right Hon. William Sebright Lascelles, deceased; the Right Hon. Edward Strutt, for the borough of Arundel, in the room of Henry Granville Fitzalan Howard, commonly called Earl of Arundel and Surrey, who has accepted the office of Steward of her Majesty's Chiltern Hundreds; *George Frederick Young*, Esq., for the borough of Scarborough, in the room of the Earl of Mulgrave, who has accepted the office of Comptroller of her Majesty's Household.

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LONDON, AUGUST 2, 1851.

THE bill now before Parliament for amending the law of patents has some good features and many bad ones. The principal alterations in principle which it makes, are the substitution of a board of examiners for the present system of excluding all preliminary inquiry; the gradual payment of the tax; and the allowance of provisional patent rights.

The duties of the examiners seem of a character which will require qualifications not easily, if at all, to be found; for they are to be the judges, when any opposition is made to the issue of letters-patent, of the *novelty* of the invention in respect of which the application is made. The question, whether an invention is new or not, is, in general, one of extreme difficulty, and certainly not to be solved, in any case of doubt, without inquiries, such as are scarcely obtained even with the assistance of a judicial investigation.

Now, we do not perceive in this bill that either the examiners, or the law officers, to whom an appeal from them is to lie, are armed with any sufficient powers to ascertain the novelty of an invention with any approximation to certainty; and we apprehend, that, if the bill passes in its present form, this function of the examiners will become a dead letter, if it is not exercised as an odious and injudicious tyranny.

The principle of provisional patents, for the first time suggested as a part of the law by this bill, is by no means new: it has been familiar to those who have paid attention to the subject for many years, and we believe it to be sound; but, in order to be successfully applied in practice, it appears to us to require a different treatment from that which we find in the bill.

If we understand the bill now proposed, a provisional patent is to be obtained by filing a provisional specification, which is to describe the nature of the invention; and thereupon the inventor obtains protection in the public use of his invention for six months, ex-

tendible to nine months; and when he finally applies for and obtains his patent, it is to date back to the date of the provisional specification.

The form of the patent given in the appendix contains the usual clauses requiring a specification. Now, nothing is said in the bill about confining the patentee, in his final specification, to adherence either to the terms or the substance of the invention set forth in the provisional specification, nor about submitting the question of such adherence to any tribunal whatever.

Now, this is a very serious objection, even where the invention is an honest invention, and the patentee has merely availed himself of his provisional patent to perfect his invention; because it leaves for subsequent litigation to decide whether the invention described in his final specification is, in substance, that for which he made his original application. But observe how the system will work, or may be worked by an unprincipled adventurer. He will lodge a provisional specification of some invention; he will then go about prying into every *atelier*, and gathering all the information he can of everything that is being done by others in regard to the same subject-matter of invention, and all that he can so steal he may insert in his final specification, and thus oust the real inventors, if they come after him in the dates of their provisional specifications. This system of invention robbery was to some extent practised under the present law; under the new one it will be greatly facilitated, and will probably be practised to a much greater extent. There ought to be in the new law some provision for trying, before acceptance of the final specification, the question, whether the invention, then tendered by the applicant, is *substantially*—not, of course, in detail—the same as that first propounded by him; and for giving an opportunity to any person, desiring to oppose the completion of his grant, to show that he has fraudulently obtained some portion of his alleged invention.

Perhaps the simplest way of effecting this would be,

to make the delivery of a final specification requisite before granting the final patent; and then the 8th and 9th clauses of the bill, with some slight alterations, might be sufficient. As the bill stands, the right to a provisional specification will be a source of litigation to the honest inventor, and a great convenience to those who make a trade of stealing other men's inventions.

The third point in the bill, the progressive payment of the tax, deserves unqualified approbation. It was a great grievance of the old system that an inventor was obliged to pay down the whole price of the patent, and that a very large one, before he could, by any possible exercise of skill, ascertain whether it was worth fourteen years' or even fourteen months' purchase. The present bill gives him the right to take a patent for three years for 25*l.*, extendible to seven years for 50*l.* more, and to fourteen for 100*l.* more, making the total 175*l.* We do not quite see why the grants for the three kingdoms might not be kept with advantage distinct; the price of each being, of course, a proportion of the total 175*l.*; because, beyond all question, there are many practical reasons why an inventor does not always wish a patent for all the three kingdoms, and it seems absurd and unjust to say to him, "You shall pay for a patent for England, Scotland, or Ireland, (as the case may be), whether you want it or not."

There is one other point on which we will touch before dismissing this bill. We do not find any effective clause for the registration of alienations of patents, calculated to enable a purchaser to be more secure than he is at present, that he has a title freed from incumbrances. There is, indeed, a section (the 20th) for keeping a registry of proprietors, but it has obviously not been prepared by a conveyancer, and does not meet the evil on which we commented in a former number of this journal. Every alienation of a patent ought to be registered; and no alienation unregistered ought to be of any validity against a registered alienation with or without notice. A clause carefully worded, to carry this into effect, would tend greatly to increase the value of patent property.

CONVERSION OF REAL ESTATE BY A TRUST FOR SALE.

A CORRESPONDENT has sent us the following observations on this subject:—

"In the Law Magazine for May, 1851, (No. 91), a case of *Griffiths v. Ricketts* is made the subject of a leading article, intitled 'Conversion by Deed,' in which the writer treats the decision of Vice-Chancellor Wigram as clearly opposed to principle and authority. And, should the writer of that article be correct in his conclusions, it would certainly be a matter of serious importance to the Profession; for he entertains 'little doubt but that the decision in *Griffiths v. Ricketts* affects the construction of all mortgages with power of sale, containing a direction to pay the surplus sales-moneys to the mortgagor, his executors, administrators, and assigns; and that it, in effect, renders the equity of redemption in such a deed personalty from the date of its delivery.' Yet, admitting the principle laid down in the cases referred to, that when a power of sale is created for a purpose which may possibly be attained without a sale, there is no conversion until sale—a principle which may be applicable to ordinary mortgages—I contend it does not apply to the case of *Griffiths v. Ricketts*, nor to that of *Biggs v. Andrewes*, (5 Sim. 424), which the learned Vice-Chancellor cited in support of his decision. In this last case there was shown throughout the deeds a clear intention on the part of the grantor to convert all his property, whether real or personal, into money. And surely neither law nor equity can interpose and say, that how-

ever decisively the author of a deed may design such a purpose, yet, if he do not live to see it completed, it shall not take effect. Now, a trust to sell and pay creditors is a very different matter from a common mortgage power of sale. In *Biggs v. Andrewes* the act of the grantor was, according to the evidence, quite voluntary on his part; and by the statement of the solicitor concerned, the object of the grantor was to turn all his property into money, pay off the claims of creditors, and live undisturbed upon the surplus. It appeared that the greater part of the property had been sold, and all debts paid, except as to a house which the trustees could not dispose of to their satisfaction, and consequently had purposed reconveying it to the grantor; and such a deed had been prepared, in which the trusts of the deed were declared to have determined. But the grantor died before the release was executed; and the Court, holding that, under the deeds, there was a complete conversion, allowed a reference to the Master to inquire as to the draft release, and whether it amounted to a manifestation of intention that the property should be restored to its original state. In *Griffiths v. Ricketts*, however, the property had been already mortgaged in fee in 1800, and in 1805 the mortgagee had entered into possession, which he remained in him, or persons claiming under him; some parts having been sold to purchasers in 1837, 1838, and 1841. In July, 1810, a deed was executed between the mortgagor and two trustees, one of them a creditor, by which the mortgagor conveyed and assigned all his real and personal estate to them, in trust to sell for the benefit of his creditors—he being at that time in prison, and it having become necessary to raise money to pay his debts. The trustees continued to act in execution of the trusts till 1820, but all the debts had not been paid in December, 1849, the date of Sir J. Wigram's judgment, 1300*l.* being still due to one of the trustees of that deed. All these matters are stated by the Vice-Chancellor, who makes a point of noticing the difference between a deed and a will—the latter speaking from the death of the testator, the former from the delivery. 'If, then,' he adds, 'the author of the deed impresses upon his real estate the character of personalty, that, as between his real and personal representatives, makes it personal and not real estate from the delivery of the deed.' The learned judge, in commenting on the case, refers to *Vas v. Barnett* (19 Ves. 102) in support of his decision, as well as *Biggs v. Andrewes*, observing that many dicta might be found in apparent conflict with what he had decided, but that they would, he believed, be reconciled by adverting to this, that those dicta applied to wills, and not to deeds. The remaining question then was, whether the effect of the deed had been altered by anything which had since taken place? He then noticed that the debts remained unpaid, and that the trustees only ceased to act in paying the debts when they were unable to realise assets for the purpose. In the meantime the property, the subject of the suit, had been in the possession of the mortgagees, and the mortgagor had neither enjoyed it, nor asserted a title adverse to the trustees, unless by the suit of 1837. But that suit was not prosecuted with effect, and the trustees were no parties to it; and as long as any of the debts remained unpaid, it could not be assumed that the trust had been abandoned by the parties interested in it. The conclusion he had come to on that point superseded the necessity of his saying anything on the other parts of the case; but as the cause would of course be the subject of review in a superior court, on account of its great importance to the parties, he would state simply to what extent he had gone in considering the other parts of the case. He then referred to the pleadings, as noticing the only two points on which his mind was in suspense, except the point as to which he had given his opinion. Now, the latter part of this judgment is not

given in Mr. Hare's report of the case, but it is to be found in 14 Jur., part 1, p. 166, where the case is very fully and no doubt correctly given. From all this it seems clear, that, without noticing the judge's allusion to the probability of the case coming before another Court, there is abundance of matter in the case itself to support the decision, without its being construed as an attempt to alter or impugn established principles. There is, however, another case which runs on all-fours with *Griffiths v. Ricketts*, and which does not seem to have been brought before the Court on that occasion, nor is it noticed by the Law Magazine; and that is the case of *Bayden v. Watson*, (7 Jur., part 1, p. 245), where freshhold lands were conveyed to trustees, in trust to sell, and apply the proceeds in discharge of two sums of 2000*l.* and 1500*l.*, with interest, and to pay the surplus to the grantor, his executors, administrators, or assigns, who afterwards borrowed other money, for which he agreed to execute a security by way of charge on the lands, and the money to arise from the sale thereof, in case the same should be sold, the ingrossment of which security was indorsed on the former deed. He died three years after the date of the deed of trust, nothing having been done under it in the meantime. And Vice-Chancellor Shadwell, and Lord Lyndhurst, C., on appeal, held that there was an absolute conversion out and out.

"The case of *Matson v. Swift*, (8 Beav. 368), as to probate duty, though somewhat similar in circumstances, is answered by Lord Langdale's observation, that whatever were the equities between the parties claiming under the author of the deed, the Crown had no right to ask the Court to enforce those equities for its own purposes."

The writer of the article in the Law Magazine to which our correspondent refers probably stands alone in his opinions—first, that Sir J. Wigram's decision in *Griffiths v. Ricketts* is unsupported by authority;—and, secondly, that that decision has any bearing on the construction of the ordinary power of sale in a mortgage. The nature of the trust for sale and the attendant circumstances in *Van v. Barnett* were the same as in *Griffiths v. Ricketts*; and though the precise point did not arise, (unless Mr. Hayes's doctrine, commented on below, be correct), Lord Eldon expressed an opinion that the deed effected a conversion out and out, requiring some act by Mr. Van in his lifetime to take from the land the effect of the trust to sell. *Biggs v. Andrews* appears to have been decided solely on the construction of the deeds of trust, without regard to the parol evidence, which, indeed, was clearly inadmissible to control the effect of the written documents. Now, the only peculiarity in *Biggs v. Andrews* was the recital in one of the deeds of the owner's desire that his affairs should be wound up, and his *real and personal property converted into money*, and the debts due to him gotten in, and the debts due from him paid, with as little delay as possible. But that was a peculiarity of language merely, and meant no more than the ordinary recital, that the grantor desires, or has agreed, that his real estate shall be vested in trustees for sale—a recital which expresses only what the operative part of the instrument, without any recital at all, would express. *Bayden v. Watson* (7 Jur., part 1, p. 245) was a still stronger case in point, and of higher authority. There the only purpose mentioned in the recitals was to provide for the repayment of two specified debts; but as there was a peremptory direction to sell, which continued unrevoked until the grantor's death, Lord Lyndhurst held, that the equity of redemption belonged to the personal representative.

In the cases above referred to, the surplus proceeds of the sale were directed to be paid to the executors, administrators, or assigns of the debtor. If the direction had been to pay them to his heirs or assigns, or to

his heirs, executors, administrators, or assigns, there would have been good ground for inferring from those words an intention, that the equity of redemption should devolve as real estate until a sale actually took place; (*Shadforth v. Temple*, 10 Sim. 184); i. e. until the trustees had entered into a binding contract for sale. (*Roberts v. Marchant*, 1 Hare, 547).

There is, then, sufficient authority for the proposition, that a conveyance of real estate to trustees for absolute sale, whatever the final cause or purpose of the conveyance may be, effects a present conversion of the real estate into personality, unless a different intention is expressed—a proposition which follows from the general rule of equity, that whatever is agreed or directed to be done, is considered in equity as done at the date of the agreement or direction, even though the agreement or direction be voluntary and revocable; but subject, in the case of a revocable direction, to the effect of a revocation, which revocation will not, in general, have a retrospective operation.

We are not aware of any authority that can be opposed to the decision in *Griffiths v. Ricketts*. The writer in the Law Magazine, indeed, cites a case, of which he says, that it "does not appear to have been quoted in *Griffiths v. Ricketts*, but in which exactly the same point was raised—the case of *Wright v. Rose*, before Sir J. Leach, (2 Sim. & S. 323)." That *Wright v. Rose* was not cited by the counsel on either side, in *Griffiths v. Ricketts*, only shows that they understood the case in which they were engaged better than the Law Magazine does. The question in *Wright v. Rose* was as to the effect of the common power of sale in a mortgage, which the writer in the Law Magazine has unaccountably confounded with a conveyance in trust for absolute sale. A power of sale in a mortgage is a discretionary authority to sell on a future event, the event itself being contingent, and the power discretionary, even after it has happened. There is no direction to sell, and no conversion by anticipation. (*Bourne v. Bourne*, 2 Hare, 35). (As to conversion by relation under a conditional contract, see *Lawes v. Bennett*, (1 Cox, 167; cited 7 Ves. 436). All contracts for sale are in substance conditional contracts—conditional on the vendor having a good title, or such a title as the purchaser chooses to accept, and on the purchaser being able to perform the contract). In *Wright v. Rose* the direction was to pay the surplus proceeds of a sale to the mortgagor, his *executors or administrators*; but those words, standing alone, could not effect a conversion; such a construction of them would have been inconsistent with the reservation of the equity of redemption to the mortgagor, his *heirs or assigns*. The sale did not take place in the mortgagor's lifetime, and therefore the equity of redemption retained its character of real estate. But the Vice-Chancellor said, "If the estate had been sold by the mortgagee in the lifetime of the mortgagor, then the surplus monies would have been personal estate of the mortgagor, and the plaintiffs" (his administrators) "would have been entitled." Mr. Hayes acquiesces in the decision, but objects to the dictum. He says, "This is merely a dictum. On principle, the effect of the power must be confined to the *particular purpose* for which the power is given, namely, that of merely letting in the debt and interest as a charge on the land." (2 Conv. 144, note). We believe that Mr. Hayes is singular in this opinion. Mr. Jarman cites both the dictum and the decision in *Wright v. Rose* with approbation, in a passage which the writer in the Law Magazine erroneously attributes to Mr. Sweet; (5 Jarm. Conv. 293, 1st ed.; 617, 3rd ed.); and Mr. Coote does the same. (Mortgages, 130). With all our deference to Mr. Hayes, we cannot bring ourselves to entertain even a doubt as to the accuracy of Sir J. Leach's dictum. Mr. Hayes seems to have confounded actual with constructive conversion.

There are in these cases three things to be considered : first, the actual state of the property or subject of ownership at a given time ; secondly, the constructive state or nature of the property at a given time ; thirdly, the person entitled to it at a given time. Now, in the case under consideration, the time to be regarded is the death of the mortgagor. If at that time the mortgaged estate is unsold, it is actually realty, and descends, as such, to the mortgagor's heir, unless, by construction, it is to be regarded as personality. And the decision in *Wright v. Rose* tells us that there is no constructive conversion. But if the mortgaged estate is sold in the mortgagor's lifetime, the surplus is at his death actually personality : it is personality belonging to the mortgagor, and must go to his executors, unless, by construction, it is to be regarded as being at that time realty. If the surplus sale-money was constructively real estate at the mortgagor's death, it must have been so, because it was the duty of the mortgagee, or the intention of the mortgagor, to invest it in the purchase of land. How was such duty created, or when was such intention declared ? Would the surplus, after it got into the mortgagor's hands, continue to be real estate ? Would it be so in the hands of the heir ? Can it make any difference that the money had not reached the mortgagor's hands, though ready to be paid to him on demand ? The confusion (for so we must regard it) in Mr. Hayes's mind probably arose from his not adverting to the distinction between money which, at the time when the question of ownership is to be decided, is subject to a trust for conversion into realty, and money which, though subject to no such trust, is for the purpose of deciding who is the owner of it, regarded as having been formerly real estate. If, after the mortgagor's death, the equity of redemption is found to have vanished, and to be replaced by the surplus proceeds of a sale, the question between the real and personal representatives is, what, at the time when the event which entitled one or the other class of representatives (i.e. the death of the mortgagor) happened, was the nature, constructive or actual, of the property which they claim ? If the property was then actually real estate, it descended to the heir, and the money belongs to the heir, not because it is constructively real estate, but because it is the produce of property which belonged to the heir while it was real estate, and to which he became entitled because it was actually real estate. But the heir takes the money as personality. (*Wright v. Wright*, 16 Ves. 188 ; *Hewitt v. Wright*, 1 Bro. C. C. 86 ; *Barrett v. Buck*, 12 Jur., part 1, p. 771). If, on the other hand, the property at the death of the testator was actually personal estate, the heir cannot claim it, unless he can make out some trust, by virtue of which it ought, in his ancestor's lifetime, to have been laid out in the purchase of land. If Mr. Hayes's doctrine, that the mortgagor takes the surplus money as real estate, were correct, the heir would also take it in that character, and we should have the money descendible for ever as real estate, though subject to no trust for conversion.

These observations lead us to the correction of an inadvertence in Sir James Wigram's language in *Griffiths v. Ricketts*, when he says, "It was in this view of the case that I observed, during the argument, that the status in which the property was found could not, as it appeared to me, affect the question to whom it belongs." That observation was correct with reference to the case before his Honor, of property subject to a trust for conversion ; but it would not be correct to apply it to property not subject, either before or after its actual conversion, to any trust for conversion. In such a case the important question is, to whom did it belong at the moment when it was converted—for immediately after the conversion it belonged to him as of the nature of the property into which it was converted ; so that where

there is no constructive conversion in a question between real and personal representatives, the status of the property at the time of the death is all-important. We cannot, therefore, assent to the following passage in the same judgment :—"I can understand the argument which alters the nature of the property, according as it is actually sold or not sold, but I cannot understand the reasoning which, in the case of a deed, would give the surplus to a different person, according only to the time when the trustees may happen to execute the trust for sale."

We cannot dismiss the subject without a remark on *Matson v. Swift*, (8 Beav. 368 ; better reported in 9 Jur., part 1, p. 521), a case in which the writer in the Law Magazine says "the precise point arose"—a statement with which we are unable to reconcile his subsequent admission, that the decision in the one case could not govern the decision in the other. In *Matson v. Swift*, J. Swift executed a conveyance to trustees for sale for payment of debts, in which a discretion was given to the trustees as to the time of sale, but the trustees were directed to pay the surplus proceeds of sale "unto the said J. Swift, his executors, administrators, and assigns, and that without any claim or equity thereon by or in favour of the heir or real representatives of the said J. Swift, whether the same, notwithstanding that the said trust estate should or might remain unconverted at the time of his decease." So that there was an explicit declaration that the estate should be constructively converted from the date of the deed, and no room was left for any question between the real and personal representatives. Notwithstanding this, however, and without denying the title of the personal representatives, Lord Langdale held that probate duty was not payable on the real estate which remained unsold at the death of Swift. A similar decision was made in *Constance v. Bradshaw*, (4 Hare, 315), the judgment in which case contains some assertions of a very questionable nature. Mr. Sweet, in his Treatise on the Stamp Laws, (p. 162), observes, that "These cases are not satisfactory. Probate duty is payable on a rent-charge for years, and on merely equitable claims. The land, by the doctrine of equity, is gone, and a claim against the trustees for money is substituted—a claim which the executor cannot enforce except by means of the probate." To these illustrations we may add—an equitable title to a lease for years under a contract—a portion charged on land, and recoverable only under a power of sale, &c. We do not see how it is possible to support the decisions in question.

London Gazettes.

TUESDAY, JULY 29.

BANKRUPTS.

EDWARD HERRING, Trinity-street, Southwark, Surrey, manufacturing chemist, dealer and chapman, (trading under the style of the British and Foreign Alkaloid Company), Aug. 7 at half-past 1, and Sept. 11 at 11, Court of Bankruptcy, London : Off. Ass. Cannan ; Sol. Wood, 8, Falcon-street, Aldersgate.—Petition dated July 25.

JOHN LIMBIRD, Strand, Middlesex, stationer and publisher, dealer and chapman, Aug. 8 at half-past 12, and Sept. 11 at 12, Court of Bankruptcy, London : Off. Ass. Whitmore ; Sol. Smith, 77, Basinghall-street.—Petition dated July 24.

RICHARD KEEPING, Ryde, Isle of Wight, Southampton, watchmaker and jeweller, dealer and chapman, Aug. 7 at 2, and Sept. 11 at 1, Court of Bankruptcy, London : Off. Ass. Whitmore ; Sol. Whittington, 2, Dean-street, Finsbury-sq.—Petition dated July 18.

* Sic in original deed.

EDWIN GATES, Aylesford, Kent, grocer and stone merchant, Aug. 6 at half-past 11, and Sept. 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wilton & Blackman, 1, Raymond-buildings, Gray's-inn-square, London.—Petition filed July 18.

WALTER LEVY, White's-row, Spitalfields, Middlesex, macaroni and vermicelli manufacturer, dealer and chapman, Aug. 4 at 11, and Sept. 6 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Jenkinson & Co., 29, Lombard-street.—Petition filed July 25.

ALFRED HINTON, Portsmouth, Southampton, stationer, bookseller, dealer and chapman, Aug. 6 and Sept. 6 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Weir & Smith, Coopers'-hall, Basinghall-street, London.—Petition filed July 26.

EDWARD DAVIS, Northampton, currier and shoe manufacturer, Aug. 6 at half-past 1, and Sept. 6 at 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Heath, 11, Artillery-place West, Finsbury.—Petition filed July 28.

THOMAS IRLAM and **VINCENT WANOSTROCHT**, (not *Wanastrocht* *Wanastrocht*, as before advertised), Liverpool, brokers and shipowners, (carrying on business there under the firm of Irlam & Wanostrocht), Aug. 7 and Sept. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Miller & Peel, Liverpool; Sharp & Co., London.—Petition filed July 23.

ROBERT HEATH, Manchester, **WILLIAM WELCH** and **JOHN HEATH BARBER**, Burslem, Staffordshire, ironmasters, dealers and chapmen, (lately carrying on business at the Ravensdale Iron-works, Tunstall, Staffordshire, under the firm of Heath, Welch, & Barber), Aug. 16 at 10, and Sept. 2 at 1, District Court of Bankruptcy, Liverpool: Off. Ass. Valpy; Sols. Stanier & Co., Newcastle-under-Lyne; Motteram & Co., Birmingham.—Petition dated July 17.

THOMAS JOHN KING, Stourport, Worcestershire, innkeeper, dealer and chapman, Aug. 12 and Sept. 9 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Watson, Stourport; Hodgson, Birmingham.—Petition dated July 14.

DAVID PHILLIPS, Cardiff, Glamorganshire, linendraper, shopkeeper, dealer and chapman, Aug. 13 and Sept. 10 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Accrman; Sol. Bevan, Bristol.—Petition filed July 23.

BETSY DAW, Lamborn Mills, near Tavistock, Devonshire, miller, dealer and chapman, Aug. 7 at 1, and Sept. 18 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sol. Elworthy, Plymouth.—Petition filed July 17.

JOHN SEARLE, Brixham, Devonshire, builder, Aug. 12 and Sept. 17 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Stogdon, Exeter.—Petition filed July 26.

MEETINGS.

Levy Deighton Smith, Little Knight Rider-street, London, calenderer, Aug. 9 at 1, Court of Bankruptcy, London, aud. ac.—*Joseph Emerson Dowson*, Oxford-street, Marylebone, Middlesex, furnishing ironmonger, Aug. 9 at 11, Court of Bankruptcy, London, aud. ac.—*James Rowe*, Devonport, Devonshire, tailor, Aug. 21 at 11, District Court of Bankruptcy, Plymouth, aud. ac.—*D. Paramore*, Devonport, Devonshire, merchant, Aug. 21 at 11, District Court of Bankruptcy, Plymouth, aud. ac.—*Edward Alanson*, Liverpool, wine merchant, Aug. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*John Samuel Story*, St. Alban's, Hertfordshire, banker, Aug. 28 at 1, Court of Bankruptcy, London, fin. div.—*Matthew Fletcher*, Lime-street-square, London, merchant, Aug. 28 at 1, Court of Bankruptcy, London, div.—*Samuel Williamson Isherwood*, Kingston-upon-Hull, woollendraper, Aug. 20 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Thomas Martin*, Liverpool, merchant, Aug. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*John Gray* and *Robert Williams*, Chester, engineers, Aug. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*James Farley*, Liverpool, laceman, Aug. 19 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Friedrich Ernst Daniel Hasl, Aldermanbury, London, mer-

chant, Aug. 21 at 12, Court of Bankruptcy, London.—*William Gray*, Sunderland, Durham, draper, Aug. 28 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*James Turner Hall*, Northwich, Cheshire, bookseller, Aug. 21 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Williamson Isherwood*, Kingston-upon-Hull, woollendraper, Aug. 20 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.

To be granted, unless an Appeal be duly entered.

James Reed, Bermondsey-street, Southwark, Surrey, hop merchant.—*Edmund Woodruffe*, Winchester-house, Old Broad-street, London, shipbroker.—*Thos. Brighouse*, Liverpool, contractor.—*James Emery*, Preston, Lancashire, innkeeper.—*Arthur Youle Barrett*, Horncastle, Lincolnshire, engineer.—*John Benson Browne*, Newcastle-under-Lyne, Staffordshire, wine merchant.

SCOTCH SEQUESTRATIONS.

Andrew Edmond and *Alexander John Gibb*, Edinburgh, stockbrokers.—*John Cochran*, deceased, Cochran-place, Larga.—*John Allan, jun., & Co.*, Glasgow, oil merchants.—*John Ross*, Portleith, Ross-shire, farmer.—*Levey, Paton, & Co.*, Glasgow, manufacturers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Stephen Dickenson, Manchester, dealer in drysalteries, Aug. 8 at 12, County Court of Lancashire, at Manchester.—*Richard Jones*, Hirwain, Aberdare, Glamorganshire, carpenter, Aug. 14 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Henry Waters*, Troedyrhiew, Merthyr Tydvil, Glamorganshire, grocer, Aug. 14 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*William Moulding*, Aberavon, Glamorganshire, butcher, Aug. 20 at 10, County Court of Glamorganshire, at Neath.—*John Coates*, Swansea, Glamorganshire, tobacconist, Aug. 21 at 10, County Court of Glamorganshire, at Swansea.—*James Rock*, Dover, Kent, licensed hawk, Aug. 14 at 10, County Court of Kent, at Dover.—*Thomas Lagden Ewer*, Borough Green, Cambridgeshire, grocer, Aug. 12 at 10, County Court of Cambridgeshire, at Newmarket.—*Edw. Minton*, Knighton, Radnorshire, plumber, Aug. 12 at 10, County Court of Radnorshire, at Presteign.—*Edwards Smith*, Eaton Bishop, Herefordshire, butcher, Aug. 14 at 10, County Court of Herefordshire, at Hereford.—*Ann Witcomb*, Hereford, innkeeper, Aug. 14 at 10, County Court of Herefordshire, at Hereford.—*David Parry*, Cefnllamiewroch, Llanrhaidr-yn-Mochnant, Denbighshire, blacksmith, Aug. 16 at 10, County Court of Montgomeryshire, at Llanfyllin.

Saturday, July 26.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

J. Neems, Stroud, Gloucestershire, farmer, No. 73,686 C.; *Richard Ponting* and *Richard Mills*, assignees.—*Richard Wade*, Chatham, Kent, linendraper, No. 73,921 C.; *M^cCarthy Stephenson*, assignee.—*Wm. Duncombe*, Dunton, Buckinghamshire, farmer, No. 73,803 C.; *Samuel Blick* and *Edward Lockhart*, assignees.—*Frederic Nicholson*, Chesterton, Cambridgeshire, gentleman, No. 73,893 C.; *Henry Eaden*, Wm. Owen Aves, and *W. Warwicker*, assignees.—*Moses Nathan*, St. George's-street, St. George's in the East, Middlesex, tailor, No. 62,285 T.; *Michael Levy Green*, assignee.—*Jas. Meadus*, Clyde-terrace, Copenhagen-st., Islington, Middlesex, baker, No. 62,276 T.; *Thomas Smith*, assignee.—*Wm. Lambton*, Upper Queen's-buildings, Brompton, Middlesex, surgeon, No. 61,990 T.; *James Beattie*, assignee.—*George Phillips*, St. Mary, Pembrokeshire, farmer, No. 16,533 C.; *Robert Phillips*, new assignee, *George Thomas*, deceased, and *James Truscott* removed.—*John Webb*, Plympton St. Mary, Devonshire, captain in the army, No. 28,057 C.; *S. Sturgis*, new assignee, *Wm. Vosper* and *Wm. Langdon* removed.

Saturday, July 26.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Robert Sparrow Pasmen, Cannon-place, Whitechapel-road, Middlesex, coachmaker: in the Debtors Prison for London and Middlesex.—*Thomas Pearce*, Lower Belgrave-place,

Pinlloo, Middlesex, licensed retailer of beer: in the Debtors Prison for London and Middlesex.—*Thomas Mervier*, Thames Ditton, Surrey, tailor: in the Gaol of Surrey.—*John Veere*, Snarebrook, Wanstead, Essex, general agent: in the Debtors Prison for London and Middlesex.—*Edwin Andrade*, Newington-place, Kennington-road, Surrey, butcher: in the Debtors Prison for London and Middlesex.—*Geo. Newman*, Grove-road, St. John's-wood, Middlesex, livery-stable keeper: in the Debtors Prison for London and Middlesex.—*James Martin*, North Cheam, Surrey, labourer: in the Gaol of Horse-monger-lane.—*Charles Jackson*, Felix-street, Hackney-road, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Thomas Grant*, Princess-st., Leicester-square, Middlesex, dealer in furniture: in the Debtors Prison for London and Middlesex.—*Thos. Lunniss*, Brunswick-st., Blackfriars-road, Surrey, greengrocer: in the Gaol of Horse-monger-lane.—*John Wedge*, Oldbury, Worcestershire, furniture broker: in the Gaol of Worcester.—*Benjamin Bailey*, Golcar, near Huddersfield, Yorkshire, clothier: in the Gaol of York.—*Nathaniel Morling*, Brighton, Sussex, licensed victualler: in the Gaol of Lewes.—*Samuel Norcliffe*, Wakefield, Yorkshire, publican: in the Gaol of York.—*Charles Steele*, Worth, Sussex, blacksmith: in the Gaol of Lewes.—*Peter M' Cabe*, Liverpool, lodging-house keeper: in the Gaol of Lancaster.—*James Balmer*, Liverpool, chemist: in the Gaol of Lancaster.—*Samuel Godwin*, Manchester, pattern designer: in the Gaol of Lancaster.—*William Rotheroe*, Penlan, Pembrokeshire, carpenter: in the Gaol of Haverfordwest.—*Josh. Clegg*, Birkby, near Huddersfield, Yorkshire, joiner: in the Gaol of York.—*John Dickinson*, Salford, Manchester, beer-house keeper: in the Gaol of Lancaster.—*Wm. Hallam*, New Lenton, Nottinghamshire, farm labourer: in the Gaol of Nottingham.—*Thomas Holman*, Farnham Royal, Buckinghamshire, shoemaker: in the Gaol of Aylesbury.—*James Williams*, Manchester, cabinet maker: in the Gaol of Lancaster.—*Emma Atkinson*, Siladen, near Skipton, Yorkshire, hennedrauper: in the Gaol of York.—*Charles Lawson*, Otley, Yorkshire, grocer: in the Gaol of York.—*John Stewart*, Wakefield, Yorkshire, auctioneer: in the Gaol of York.—*Robert Bishop*, Asthall, near Burford, Oxfordshire, miller: in the Gaol of Oxford.—*John Foster*, Botton-bridge, Manningham, near Bradford, Yorkshire, worsted spinner: in the Gaol of York.—*Thomas Hall*, Friarage, Lancaster, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Richard Lynch*, Manchester, shoemaker: in the Gaol of Lancaster.—*Geo. Robertshaw*, Hightown, near Leeds, Yorkshire, butcher: in the Gaol of York.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Worcestershire, at WORCESTER, Aug. 13.

Wm. Salmon, Dudley, haberdasher.—*Thomas Jones*, Oldbury, near Dudley, blacksmith.—*John Wedge*, Oldbury, furniture broker.

At the County Court of Pembrokeshire, at HAVERFORDWEST, Aug. 22 at 10.

Maurice W. Owen, Pembroke, money scrivener.—*William Rotheroe*, Penlan, carpenter.

At the County Court of Somersetshire, at TAUNTON, Aug. 14 at 10.

Thomas Sprod the younger, Congressbury, in no business.—*Robert Burton*, Shapton Mallett, in no business.—*John Chapman*, Vallis Way, Frome Selwood, cloth manufacturer.—*John Jeffery*, Chard, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas S. Hack, Bognor, Sussex, architect: 1s. 10d. in the pound.—*George N. Bailey*, Dufour's-place, Gloden-sq., Middlesex, tailor: 2s. in the pound.—*J. Patten*, Paradise-st., Lambeth, Surrey, messenger at the Colonial Office: 5s. in the pound.—*Morris Paddon*, Albany-road, Camberwell, Surrey, out of business: 7s. 2d. in the pound.—*Thomas B. Rigg*, Kimbolton-place, Fulham-road, Chelsea, Middlesex, retired clerk, Army Pay-office: 2s. 8½d. in the pound.—*J. Flowers*, Lichfield, gentleman: 2½d. in the pound.—*Louis Watson*, Craven-street, Strand, Middlesex, coal merchant: 1s. 10d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Nathaniel Bromly, Chatham-place, Pitt-street, Old Kent-road, Surrey, out of business, Aug. 13 at 1, at Abell's, Colchester, Essex, sp. aff.

FRIDAY, AUGUST 1.

BANKRUPTCY.

HENRY MOWBRAY ARLISS and ELIJAH TUCKER, Frith-street, Soho-square, Middlesex, printers, (trading under the style and firm of Arliss & Tucker), Aug. 9 at 1, and Sept. 10 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Nicholson & Parker, 48, Lime-street, City.—Petition filed July 29.

JOHN BROWN, Deal, Kent, grocer, tea dealer, dealer and chapman, Aug. 9 and Sept. 10 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Buchanan, 8, Basinghall-street, London.—Petition filed July 25.

THOMAS EDWARD SLATE, King's-head-court, London, and Hatton-garden, Middlesex, bookbinder, dealer and chapman, Aug. 8 at 12, and Sept. 12 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Rutter & Trotter, 4, Ely-place, Holborn.—Petition dated July 31.

JOHN SHORT, Weedon Beck, Northamptonshire, wine and spirit merchant, brewer, and horse dealer, Aug. 12 at 12, and Sept. 11 at 2, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. Gery & Son, Daventry; Rickards & Walker, 29, Lincoln's-inn-fields.—Petition dated July 25.

ROBERT MITCHELL, Walthamstow, Essex, baker, Aug. 8 at 2, and Sept. 12 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Pownall, 8, Birchin-lane.—Petition dated July 25.

JOHN HINE MAY, Bracknock-terrace, Camden-town, Middlesex, draper, dealer and chapman, Aug. 12 at 1, and Sept. 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Sole & Co., 68, Aldermanbury.—Petition dated July 28.

MORLEY BEART, Upwell, Norfolk, brickmaker, dealer and chapman, Aug. 8 at half-past 11, and Sept. 11 at half-past 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Ollard, Upwell, Cambridgeshire; Henman, 8, Basing-lane, Bow-lane, Cheapside.—Petition dated July 14.

EDWARD GEORGE CUFF, Leicester, hotel keeper, wine merchant, dealer and chapman, Aug. 15 and Sept. 12 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Spooner, Leicester; Henderson, 28, Mansell-street, London.—Petition dated July 26.

JOHN MACDUFF, Brynmawr, Llanelli, Brecknockshire, previously of Dublin, previously of Belfast, Ireland, previously of Liverpool, and previously of Manchester, auctioneer and woollendrapery, Aug. 19 and Sept. 16 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed July 15.

METINGS.

William Howdsworth, Egremont, Liscard, Cheshire, and Liverpool, common brewer, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*William Lupton Lane*, Salford, Lancashire, victualler, Aug. 12 at 12, District Court of Bankruptcy, Manchester, pr. d.—*Thomas Paten*, Worthing, Sussex, lodging-house keeper, Aug. 12 at 12, Court of Bankruptcy, London, ch. ass. and pr. d.—*Cecil Sober Taylor Walker*, Oxford-street, Middlesex, artificial florist, Aug. 13 at 1, Court of Bankruptcy, London, ch. ass.—*Thomas Slater*, Cheetham, and *Joshua Paton*, Broughton, Lancashire, cotton spinners, Aug. 11 at 12, District Court of Bankruptcy, Manchester, last ex. and pr. d.—*Stephen Charles Lakeman*, St. Mildred's-court, London, commission agent, Aug. 15 at 11, Court of Bankruptcy, London, and ac.—*Daniel Odell*, Clophill, Bedfordshire, grocer, Aug. 15 at 11, Court of Bankruptcy, London, and ac.—*Frederick Jones Ventnor*, Newchurch, Isle of Wight, Southampton, apothecary, Aug. 12 at half-past 11, Court of Bankruptcy, London, and ac.—*James Holden*, Salford, Lancashire, licensed victualler, Aug. 12 at 12, District Court of Bankruptcy, Manchester, and ac.—*H. Buchmaster*, Liverpool, wine merchant, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Charles Humberston* and *Samuel Frodsham*, Liverpool, commission merchants, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Patrick Adair Black* and *John*

Whittingham, Liverpool, provision brokers, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of *Patrick A. Black*.—*Andrew Peacock*, Liverpool, corn merchant, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John C. Dwyer*, Liverpool, corn merchant, Aug. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Cyrus Morrill* and *Jos. Borland*, Liverpool, merchants, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Robt. Hamilton* and *W. Graham*, Liverpool, merchants, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Robert G. Roberts*, Liverpool, timber merchant, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Charles Roope*, Liverpool, wine merchant, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Horrocks*, Liverpool, coal merchant, Aug. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Hunt*, Edgeware-road, Middlesex, draper, Aug. 22 at 1, Court of Bankruptcy, London, div.—*Frederick Rodbard*, Manor House, Croydon, Surrey, schoolmaster, Aug. 22 at half-past 11, Court of Bankruptcy, London, div.—*Henry K. Holloway*, Ryde, Isle of Wight, Southampton, bookseller, Aug. 23 at 12, Court of Bankruptcy, London, div.—*Joseph Nash* and *Thos. Neale*, Reigate and Dorking, Surrey, bankers, Aug. 23 at 12, Court of Bankruptcy, London, fin. div.—*John Fenton*, Avery-row, Bond-street, Middlesex, baker, Aug. 23 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Wilson*, *Charles K. Wilson*, and *Wm. Wilson*, Liverpool, linendrapers, Aug. 22 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Carsten Holtbush, Great Tower-st., London, sugar broker, Aug. 22 at 11, Court of Bankruptcy, London.—*Robert Craig*, Brynmawr, Breconshire, draper, Sept. 1 at 11, District Court of Bankruptcy, Bristol.—*Wm. Garrow*, Bootle, near Liverpool, merchant, Aug. 25 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Pearce*, Topsham, Devonshire, coal merchant, Aug. 26 at 11, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Charles Chaplin, Sudbury, Suffolk, printer.—*Hen. Watson* and *John George Hick*, Sittingbourne, Kent, cement manufacturers.—*Wm. Coles*, Milton-next-Gravesend, Kent, pastrycook.—*John Clark*, Clarence-place, Camberwell, Surrey, auctioneer.—*Robert Rising*, Frith-street, Soho, and Lower Berkeley-st., Middlesex, dealer in casts.—*John Moores* the younger, Aylesbury, Buckinghamshire, draper.—*Thos. King Pyrrke*, High-st., Notting-hill, Middlesex, bookseller.—*James M'Names*, Manchester, manufacturing chemist.

SCOTCH SEQUESTRATIONS.

John M'Graw, Gorebridge, merchant.—*Henry Fergus*, Levenhall, Musselburgh, Edinburgh, brick manufacturer.—*John Brown*, Aberdeen, linendraper.—*John White*, Airdrie, tailor.—*John M'Cowan*, Lowesmuir, New Cumnock, Ayrshire, farmer.—*Wm. Craig*, Newmillns, spirit dealer.—*John Harvey*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Tobin, Cardiff, Glamorganshire, greaser, Aug. 16 at 10, County Court of Glamorganshire, at Cardiff.—*John Thomas*, Penysarn, Newport, Monmouthshire, contractor, Aug. 14 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*John Morgan*, Welsh St. Donnat's, Glamorganshire, labourer, Aug. 16 at 10, County Court of Glamorganshire, at Cardiff.—*George Miller*, Brecknock, waiter, Aug. 9 at 10, County Court of Brecknock, at Brecon.—*John Spring*, Brigg, Lincolnshire, currier, Aug. 23 at 11, County Court of Lincolnshire, at Brigg.—*James Cook Bygott Sutton*, Broughton, Lincolnshire, publican, Aug. 23 at 11, County Court of Lincolnshire, at Brigg.—*Ann Nutt*, Lutterworth, Leicestershire, out of business, Aug. 25 at half-past 2, County Court of Leicestershire, at Lutterworth.—*Francis Goddard*, Brimpton, Berkshire, out of business, Aug. 13 at 1, County Court of Berkshire, at Newbury.—*Wm. Coates*, Farnborough, Southampton, out of business, Aug. 13 at 12, County Court of Surrey, at Farnham.—*George Longrove*, Oxford, common room man of Queen's College, in the University of Oxford, Aug. 18 at 11, County Court of Oxfordshire, at Oxford.—

Caleb Baskett, Bramford, Suffolk, cattle dealer, Aug. 15 at 10, County Court of Suffolk, at Ipswich.—*William Simmons*, Tonbridge Wells, Kent, cabinet maker, Aug. 14 at 10, County Court of Kent, at Tonbridge Wells.—*Richard Earl*, Radhill, Reigate, Surrey, agent to the London and Brighton Railway Company, Aug. 18 at 11, County Court of Surrey, at Reigate.—*Thomas Smith Williams*, Ramsgate, Kent, gentleman, Aug. 6 at 10, County Court of Kent, at Ramsgate.—*William Allen*, North Nibley, Gloucestershire, out of business, Aug. 25 at 11, County Court of Gloucestershire, at Dursley.—*Charles James Fox*, Uley, near Dursley, Gloucestershire, carpenter, Aug. 25 at 11, County Court of Gloucestershire, at Dursley.—*James Stokes*, Bristol, printer, Aug. 6 at 11, County Court of Gloucestershire, at Bristol.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Aug. 15 at 11.

John Quail, Liverpool, surgeon.—*Thos. Beardsall*, Manchester, attorney's clerk.—*Saml. Clarke*, Manchester, grocer.—*Joseph Robinson*, Manchester, assistant to a hairdresser.—*James Williams*, Manchester, cabinet maker.—*Jas. Monks*, Manchester, retail dealer in ale.—*Alexander Macdonell*, Oldham, out of business.—*James Nuttall*, Bury, beer-seller.—*Charles Shorrocks*, Manchester, sewing cotton manufacturer.—*John O. Heyes*, Salford, out of business.—*Donl. Garrett*, Liverpool, carpenter.—*John Barber*, Stockport, baker.—*T. Baron*, Blackburn, twister in a cotton factory.—*John Dean*, Manchester, grocer.

At the County Court of Devonshire, at EXETER, Aug. 16 at 10.

James Wingett, Plymouth, painter.—*James Jeffery*, Pilton, near Barnstaple, turnpike-gate keeper.—*William Bick*, Devonport, beer-shop keeper.

At the County Court of Oxfordshire, at OXFORD, Aug. 18 at 11.

Robert Bishop, Aethall, near Burford, miller.

At the County Court of Northumberland, at MORPETH, Aug. 22 at 10.

Thomas N. Hernaby, North Shields, builder.

INSOLVENT DEBTORS' DIVIDENDS.

Jarvis Clayton, Manchester, tailor: 1s. 9½d. in the pound.—*John Dalton*, Warrington, near Croydon, Surrey, clerk: 9½d. in the pound.—*Richard H. Newman*, Wyche, Hornchurch, Essex, farmer: 2s. 2½d. in the pound.—*C. Davies*, Astley, near Shrewsbury, Shropshire, butcher: 1s. 7½d. in the pound.—*Thomas Phillips*, Queenhithe, London, licensed victualler: 3s. 5½d. in the pound.—*John A. Stirton*, Shuter's-terrace, North-end, Fulham, Middlesex, oil and colour man: 10s. 1d. in the pound.—*Joseph Collins*, Holgate, near York, out of business: 3s. 5d. in the pound.—*George S. Keymer*, Bedford-terrace, Upper Holloway, Middlesex, out of employment: 8d. in the pound.—*George Sheppard*, Canterbury-street, Lambeth, Surrey, cook: 8s. 6d. in the pound.—*Jas. Johnson*, Wersley, near Manchester, timber merchant: 12s. 6d. in the pound.—*Alfred Knott*, Stoke, near Guildford, Surrey, miller: 1s. 0½d. in the pound.—*Wm. Harvett*, Eden Minster, Ramsgate, Kent, farmer: 3s. 0½d. in the pound.—*Edward Matthews*, Vauxhall-street, Lambeth, Surrey, master in the Royal Navy: 2s. 8d. in the pound.

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MASTER IN CHANCERY.—The Lord Chancellor has appointed Thomas Miles the younger, Gent., of Leicester, to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Edmund Ward, of Prescott, Lancashire, in and for the county of Lancaster; George Slade Butler, of Elye, Sussex, in and for the counties of Sussex and Kent.

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The Jurist

No. 761—VOL. XV.

AUGUST 9, 1851.

PRICE 1s.

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LONDON, AUGUST 9, 1851.

THE law relating to the combination of workmen, for purposes connected with their employment and wages, should be defined with clearness and certainty. There can be little doubt in the minds of the most ignorant, that any resort to violence or threats against their fellow-workmen, or their masters, is illegal; but there are other proceedings falling short of these, and described in the Combination Act, 6 Geo. 4, c. 129, as "molestation and obstruction," which are not so well understood. By that statute, it is an offence, "by molesting or obstructing" workmen, to endeavour to force them to leave their employment, or, "by molesting or obstructing" masters, to endeavour to force them to alter the mode of carrying on their business; and it is therefore, of course, an offence to combine for these purposes. Mised, however, by ignorance, passion, or the incitement of others, workmen, united for the promotion of their real or fancied interests, do often bring themselves within what appears to be the legal meaning attached to the somewhat vague expressions, "molestation and obstruction," and then find themselves suddenly caught within the meshes of that wide-spread net, an indictment for conspiracy, whereby they may be called upon to answer charges almost unlimited as to time and space, and may be rendered answerable for the conduct and language of others.

Such appears to have been the position of some of the defendants who were tried at Stafford last week, before Erie, J., in the cases of *Reg. v. Duffield and Others* and *Reg. v. Rowlands and Others*. The evidence was substantially the same on both indictments, and it was, in effect, that the defendants agreed to obtain from certain manufacturers a book of prices, whereby wages might be assimilated, regulated, and, in some instances, raised. This object was lawful enough, but they were charged with using unlawful means for its attainment, by

"molesting and obstructing" these manufacturers and their workmen, within the language of the act of Parliament. Evidence was given to shew that three classes of workmen were dealt with by some of the defendants—hired men, or such as were under contract to serve for a certain time; free men, who worked by the piece, and might leave as soon as the work allotted to them was finished; and apprentices. All of these, it appeared, had been persuaded and assisted by some of the defendants to leave their employment, without reference to the completion of their contracts. It was admitted that this was illegal as to hired men and apprentices, inasmuch as it is an offence punishable with imprisonment for such to absent themselves from their employment, without lawful excuse, before their contract is fulfilled; (4 Geo. 4, c. 34); but it was contended that it was perfectly legal to persuade and assist free men to leave or turn out in a body, certainly as soon as the work they were then engaged upon was finished. The learned judge, however, did not appear to adopt this view, but considered that such conduct amounted to a molestation or obstruction of the manufacturers, within the meaning of the statute. He regarded this, not so much as a combination among the workmen for the purpose of determining their wages, as for that of injuring others; and said, that while in the one case the law permitted free action to workmen, it restrained it when they entered into combination for the purpose of injuring others, or to attain an object by their injury.

The defendants were found guilty upon all of the twenty counts in the indictment, and several questions connected with the subject will probably yet be raised and decided in the court above.

The same statute, which prohibits unlawful combinations among workmen, expressly enacts that its provisions shall not extend to subjects who are to be punished who shall meet together for the purpose

pose of consulting upon and determining the rate of wages which they shall demand for their work, or the hours for which they shall work, or who shall enter into any agreement for these purposes; and we apprehend that workmen have exactly the same right of combining as other classes have, namely, for a legal object, to be effected by legal means. The statute was passed to extend, and not to limit, their right.

In *Reg. v. Selsby and Others*, which was an indictment for an illegal combination among workmen, the present Lord Cranworth, V. C., then Rolfe, B., thus laid down the law upon the subject:—"Workmen may meet and say, 'We will not work for less than such and such a sum, and if parties think to employ us on low wages we agree we will not work for them, and we agree to form a fund and support one another until we get them to come to proper terms.' . . . It is, doubtless, lawful for people to agree among themselves not to work except upon certain terms; that being so, I am not aware of any illegality in their peaceably trying to persuade others to adopt the same view. If it is lawful for half-a-dozen people to agree together, and say, 'We will not work unless Messrs. Jones & Potts' (the prosecutors in that case) 'raise our wages,' so it is perfectly reasonable to say to a third man, 'You had better do that too,' if they do not use threats to deter him from doing it. . . . My opinion is, that if there were no other object than to persuade people that it was their interest not to work except for certain wages, and not to work under certain regulations, complied with in a peaceable way, it was not illegal*."

Two other cases, which have occurred since the passing of the statute, should here be noticed.

Ras v. Byerdike (1 Moo. & R. 179) was a case in which the defendants had taken certain oaths, and agreed upon a letter to the prosecutor, stating that all workmen in his employ would strike, unless certain men were discharged. The letter concluded, "By order of the board of directors." Patteson, J., held that this dictation and compulsion were illegal. The report of this case is very short, and does not appear to contain all the evidence that was given on the occasion.

In *Reg. v. Hewitt and Others*, (5 Cox Crim. Cas. 162), tried at the Sittings after last Hilary Term, it appeared that a club of workmen had been formed, and was empowered to inflict fines upon persons who worked for obnoxious masters. A person so fined refused to pay it, and thereupon his fellow-workmen would not work with him, and by that means compelled his master to dismiss him. Lord Campbell, C. J., held such conduct of the men to be illegal.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—Henry Granville Fitzalan Howard, commonly called Earl of Arundel and Surrey, for the city of Limerick, in the room of John O'Connell, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

* Report from Short-hand Writer's Notes, published by W. P. Roberts, 1847.

Correspondence.

TO THE EDITOR OF "THE JURIST."

SIR,—In your leading article of the week before last, relating to the admission of Jews to Parliament, you do not appear to have taken into your consideration the effect of the stat. 10 Geo. 1, c. 4. That statute, indeed, seems to have altogether escaped notice, and its existence does not seem to have been suspected until it was discovered by the industry of Mr. Bethell. The only reason that can be suggested why it should have so escaped notice is, that a great part of the enactments contained in it were simply extensions of time within which oaths were to be taken and names were to be registered; and as those times have long since expired, and as subsequent statutes, containing similar extensions of time, have since been passed at intervals, and have expired, the learned editors of the Statutes at Large, conceiving that this act had also expired, have either omitted it altogether, or have stated it very briefly, and have placed at the end of it the letters EXP., meaning that it had expired, and thereby misleading their readers. When, however, the original act in extenso is consulted, it will be seen that there is no reason to suppose that the act was temporary, and that several of its enactments—as, for instance, that women and reversioners should not be compelled to take the oaths, as well as those relating to Quakers and Jews—are still in force, for anything that appears to the contrary. The oaths are now taken under the 6 Geo. 3, c. 53, for the due understanding of which it will be necessary to refer to the former statutes.

By stat. 1 Geo. 1, c. 13, all persons bearing any office &c. shall take three oaths in the words therein prescribed, the last, or abjuration oath, containing the words, "upon the true faith of a Christian."

The supposed necessity of using these words, alone prevents the admission of Jews to Parliament. It is admitted, as an historical fact, that this oath was intended to exclude the Roman Catholics, and was not aimed at the Jews. The Legislature, therefore, finding probably that Quakers and Jews were unintentionally affected by it, passed the stat. 10 Geo. 1, c. 4.

That act recites the previous act, 1 Geo. 1, c. 13, and several other acts, and contains a variety of enactments, amongst which are, sect. 1, that no woman should be obliged to take the oaths; sect. 12, that Quakers might take and subscribe a declaration instead; and sect. 18, which is as follows:—"And whereas the following words are contained in the latter part of the oath of abjuration, viz. 'upon the true faith of a Christian,' be it further enacted, by the authority aforesaid, that whenever any of his Majesty's subjects professing the Jewish religion shall present himself to take the said oath of abjuration, in pursuance of the above recited act or of this present act, the said words, 'upon the true faith of a Christian,' shall be omitted out of the said oath in administering the same to such person, and the taking of the said oath by such person professing the Jewish religion, without the words aforesaid, in like manner as Jews are admitted to be sworn to give evidence in courts of justice, shall be deemed to be a sufficient taking of the abjuration oath, within the meaning of this and the said recited act."

Under these acts the oaths continued to be taken till the death of the Pretender, when it became necessary to make an alteration, and the stat. 6 Geo. 3, c. 53, was passed, under which, as before mentioned, the oath of abjuration is now taken. This act, after reciting the stat. 1 Geo. 1, c. 13, proceeds to enact, that after the 4th June, 1766, the oath of abjuration in stat. 1 Geo. 1, c. 13, mentioned, shall be administered in the manner and form therein prescribed. The words of the oath are these

given, being slightly altered from those in the former act, and ending as before, "upon the true faith of a Christian." The act then proceeds—"And that all and every person and persons who are enjoined and required to administer, take, or subscribe the oath of abjuration and the assurance in the said above-mentioned acts contained, shall respectively administer, take, and subscribe the oath of abjuration, and subscribe the assurance, according to the form herein set down and prescribed, in such courts, within such time limited, in such manner and with due observance of the same requisites, and with benefit of the same savings, provisoes, and indemnities, as by the said acts above mentioned, or by any other acts, or any part of them now subsisting, are directed and enacted."

That, under this state of the law, the Jew is allowed to take the oath of abjuration without the words "on the true faith of a Christian," seems too clear for argument. It appears, however, no doubt, so startling and improbable that such should be the case, after all the discussion which has taken place on the subject, that the members of the House of Commons, and most other persons, not having the statutes in their hands and before their eyes, remain unconvinced, and unwilling to admit this new view upon the statement of one single member. I trust, however, that, on examination of the statutes contained in these few lines, the construction of which presents no difficulties whatever, that statement will be proved to be strictly accurate, and to expound correctly the present law on the subject.

Lincoln's-inn, Aug. 6, 1851.

C. M.

Rebels.

Can a Clergyman create an Equitable Charge on his Living, under the Stat. 1 & 2 Vict. c. 110? By JOHN DARLING, M.A., of the Inner Temple, Barrister at Law. 8vo. Pp. 28. [Stevens & Norton.]

THE principal part of this pamphlet consists of a very elaborate and able argument against the construction of the stat. 1 & 2 Vict. c. 110, s. 13, which was acted upon by Lord Cranworth, V. C., in *Hawkins v. Gathercole*, (1 Sim., N. S., 63; 14 Jur., part 1, p. 1103). As the discussion of that case has already occupied a considerable space in our pages, (ante, pp. 22, 142), we shall content ourselves with observing, on this part of Mr. Darling's publication, that though some of his arguments are more ingenious than sound, (that, for instance, which he founds on the rule against construing acts of Parliament to affect copyholds, when they are not expressly named, if the lord's interest might suffer), he has on the whole made out a very strong case against Lord Cranworth's decision on this very difficult question. Mr. Darling has not, however, succeeded in giving any explanation of the words, "in case the person against whom such judgment shall have been entered up had power to charge the same lands." It was upon that suggestion in the enactment itself, that it might extend to property which the debtor would not have power to charge independently of the act, that Lord Cranworth relied, and his decision cannot be reversed without reducing those words to silence.

Having dismissed *Hawkins v. Gathercole*, Mr. Darling considers the question, whether, if an adverse judgment against a clergyman does constitute a charge on his living, the same effect may be produced by a judgment entered up on a warrant of attorney; and he concludes that it cannot. But here we think he is entirely at variance with the authorities. He says that such a charge on a living as the 13th section of the act of Victoria gives a judgment creditor (if benefices are within the operation of that section) would be void by

the stat. 13 Eliz. c. 20, if it were created directly by the incumbent on his living; and he adds—

"Now, the execution of a warrant of attorney is a voluntary proceeding. The sole purport of the warrant is to authorise a judgment to be entered up, and it cannot be revoked after it has been executed. The necessary inference, therefore, to be drawn from the fact of the execution of such an instrument is, that the person executing it intends that a judgment shall be entered up against him. But as we are now assuming a judgment constitutes an equitable charge upon ecclesiastical property, it follows that an incumbent of a living, who executes a warrant of attorney, must be taken to intend that an equitable charge should be created on his living. This is a necessary inference, not merely a possible or even a probable one. A warrant of attorney would be, on the face of it, an indirect charging of the living, and would therefore be invalid, as being an evasion of the stat. 13 Eliz. c. 20."

We wonder that Mr. Darling was not startled at the wildness of his conclusion, which amounts to this—that an act, passed for the express purpose of extending the remedies of creditors, (and, by the hypothesis, of giving to the creditors of clergymen further remedies against the livings of their debtors), should have the effect of disabling benefited clergymen from giving a warrant of attorney to confess judgment for any purpose whatever.

Mr. Darling admits, that under the former law a warrant by a clergyman, containing no intimation of an intention to authorise a sequestration, was valid, and might be made the foundation of a sequestration, though it was otherwise when the warrant contained an express authority to issue a sequestration. "The reason for the distinction between the two cases is obvious. A judgment before the passing of the stat. 1 & 2 Vict. c. 110, was not a lien on a benefice; and though a writ of sequestration was one of the modes by which it might be made available against an incumbent, it was not the only mode. It follows that a warrant of attorney did not necessarily imply an intention on the part of the clergyman that his benefice should be sequestered. And it was therefore not a matter of certainty, as far as appeared on the face of the instrument, out of which the Courts of common law would not look, that it was intended to contravene the stat. 13 Eliz. c. 20."

The short answer to this appears to be, that the cases have decided differently. They have decided that a warrant of attorney by a clergyman to confess judgment would be void under the statute of Elizabeth, if it expressed an intention to do what that statute has prohibited, namely, to charge the living, though the charge itself, namely, the sequestration, was not the act of the debtor, but a further proceeding taken by the creditor. They have also decided that a warrant of attorney by a clergyman would not be void if no such intention was expressed, though its effect might be that the living would be charged. Now, it is obvious, that, for the purpose of the question before us, there is no difference between a judgment under the old law and a judgment under the new law. The principle is, that if the intention expressed points at the living, that is sufficient to make the security void; but if no such intention is expressed, none will be implied, though the living may be equally charged. The distinction is taken, not between a contingent and a necessary consequence, but between the expression and the non-expression of an illegal intention. In the case of a warrant of attorney to enter up judgment and to issue a sequestration, neither the warrant nor the judgment operates as a charge; and the sequestration may never, in fact, be issued; yet the warrant is illegal. In the cases where no sequestration is mentioned, the issuing of a sequestration is equally authorised; but the warrant is not illegal, because the contemplation of that

which is one only of many consequences of the warrant will not be presumed. So, in the case of a warrant under the new law, it will not be presumed unless it appears that the object was to charge the benefice, though the effect may be that the benefice will be charged. As the contingency of the result would not have saved the security in the former case, so the necessity of the result will not invalidate the security in the latter. It is not our present business to defend the cases which have established this distinction. We think they are wholly indefensible. But the distinction is established, and if the cases on which it depends were overruled, the conclusion supported by Mr. Darling would be as far as ever from being recognised.

London Gazette.

TUESDAY, AUGUST 5.

BANKRUPTS.

EDWARD AGAR WYNNE and **JOHN LUMSDEN**, East-street, Manchester-square, Middlesex, builders, Aug. 13 at 12, and Sept. 10 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Barnard, 14, York-road, Lambeth.—Petition filed July 31.

THOMAS MARRIOTT, Leighton Buzzard, Bedfordshire, seed merchant, dealer and chapman, Aug. 13 and Sept. 12 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Willmott, 82, High-st., Southwark.—Petition dated July 25.

GEORGE STRINGER, Chamber-street, Goodman's-fields, Middlesex, wholesale Italian warehouseman and export oilman, dealer and chapman, Aug. 13 and Sept. 12 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Fry & Loxley, 80, Cheapside.—Petition dated July 28.

EDWIN PARKE QUADLING, Grey Friars Works, Ipswich, Suffolk, railway carriage builder and ironfounder, (carrying on trade under the name, style, or firm of Quadling & Co.), Aug. 13 at 1, and Sept. 12 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Chilton, 16, Union-court, Old Broad-street.—Petition dated July 29.

GEORGE KING MATTHEWS, Paternoster-row, London, bookbinder, bookseller, dealer and chapman, Aug. 12 at 2, and Sept. 12 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Young & Son, 29, Mark-lane.—Petition dated July 30.

JOHN LUSCOMBE, Higher Salter Mill, Llandulph, Cornwall, miller, dealer and chapman, Aug. 21 and Sept. 18 at 11, District Court of Bankruptcy, Plymouth: Off. Ass. Hernaman; Sols. Edmonds & Sons, Plymouth; Stogdon, Exeter.—Petition filed July 26.

MEETINGS.

Samuel Adams, William Bridges Adams, and Gerard Ralston, Fairfield Works, Bow, Middlesex, engineers, Aug. 15 at 1, Court of Bankruptcy, London, pr. d. sep. est. of *William Bridges Adams* and *Gerard Ralston*.—*Charles Gale*, Hart-street, Bloomsbury, Middlesex, plumber, Aug. 15 at 1, Court of Bankruptcy, London, ch. ass.—*John Marten Wood*, Barbican, London, victualler, Aug. 15 at 1, Court of Bankruptcy, London, last ex.—*John Wallers*, Great Rider-street, St. James's, Middlesex, licensed victualler, Aug. 15 at 1, Court of Bankruptcy, London, last ex.—*David Gideon*, Minorics, London, and Uxbridge, Middlesex, clothier, Aug. 15 at 10, Court of Bankruptcy, London, ex.—*Rees Davies*, Tredgar, Monmouthshire, draper, Aug. 28 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Oct. 16 at 11, div.—*John Hinks*, Warwick, grocer, Aug. 20 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Aug. 28 at half-past 11, div.—*Joseph Holroyd*, Dalton, near Huddersfield, Yorkshire, cotton dyer, Aug. 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Joshua Unwin*, Bradford, Yorkshire, stuff manufacturer, Aug. 15 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Lane Martin*, Gravesend, Kent, ironmonger, Aug. 28 at half-past 11, Court of Bankruptcy, London, div.—*Julius Ewald Beerbohm* and *W. Edmund Slaughter*, Fenchurch-street, London, merchants,

Aug. 28 at half-past 11, Court of Bankruptcy, London, div.—*George Schonswear*, Ferryby, Kingston-upon-Hull, merchant, Aug. 27 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*John Hannah*, Huddersfield, Yorkshire, cloth dresser, Aug. 28 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Charles May, Norwich, *William Leopold Metcalfe*, Great Yarmouth, Norfolk, and *Charles James Metcalfe*, Roston, Bedfordshire, soap manufacturers, Aug. 26 at 12, Court of Bankruptcy, London.—*Thomas Tyson*, Whitehaven, Cumberland, builder, Aug. 28 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Joseph Dalton*, *Joseph Burn*, and *Robert Turpin*, Newcastle-upon-Tyne, earthenware manufacturers, Aug. 28 at half-past 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Joseph Price* and *John Lavender*, Birmingham, paper dealers, Aug. 26 at half-past 11, District Court of Bankruptcy, Birmingham.—*George Robson* the younger, Osbaldwick, Yorkshire, horse dealer, Aug. 28 at 11, District Court of Bankruptcy, Leeds.—*Ebenezer Thorndon*, Huddersfield, Yorkshire, ironmonger, Aug. 28 at 11, District Court of Bankruptcy, Leeds.—*John Hannah*, Huddersfield, Yorkshire, clothdresser, Aug. 28 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

James Maxwell, Walcot, Holycross Pershore, Worcestershire, cattle dealer.—*Isaiah Harper*, Dudley, Worcestershire, builder.—*William Farrow*, Kingston-upon-Hull, coal merchant.—*Charles Pearson*, Sheffield, Yorkshire, licensed victualler.

SCOTCH SEQUESTRATIONS.

Thomas Roberts, Edinburgh, mill-master.—*Geo. Stewart*, Haghill, near Glasgow, distiller.—*David Drummond*, Glasgow, wholesale provision merchant.—*John Campbell*, Glasgow, wine merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

David Lewis, Cromveare, Pembrokeshire, draper, Aug. 23 at 10, County Court of Pembrokeshire, at Narbeth.—*James Tanner*, Box, Wiltshire, licensed victualler, Aug. 21 at half-past 11, County Court of Wiltshire, at Chippenham.—*Thomas Whitehead*, Aston New-town, near Birmingham, cabinet carver, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*George Whitehouse*, Birmingham, painter, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*George Richards*, Birmingham, plumber, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Matthieson*, Birmingham, out of business, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Ludlow*, Birmingham, butcher, Aug. 9 at 10, County Court of Warwickshire, at Birmingham.—*James Scott*, Newmarket, Suffolk, grocer, Aug. 30 at 11, County Court of Suffolk, at Sudbury.—*Lemuel Devonshire*, London-end, Earl's Barton, near Wellingborough, Northamptonshire, tea dealer, Aug. 21 at half-past 1, County Court of Northamptonshire, at Wellingborough.—*John Sheppard*, Cockfield, Suffolk, farmer, Aug. 30 at 11, County Court of Suffolk, at Sudbury.—*Isaac Corthwaite*, Parton, Moresby, Cumberland, innkeeper, Aug. 25 at 12, County Court of Cumberland, at Whitehaven.—*Thomas Butcher*, Ware, Hertfordshire, corn dealer, Aug. 28 at 11, County Court of Hertfordshire, at Hertford.—*Henry Webb*, Great Marlow, Buckinghamshire, farmer, Aug. 12 at 11, County Court of Buckinghamshire, at High Wycombe.—*Rev. John D. Edwards*, Rhosymedre, Raabon, Denbighshire, incumbent or perpetual curate of Rhosymedre Church, Aug. 19 at 10, County Court of Denbighshire, at Raabon.—*Wm. Gyde*, Painswick, Gloucestershire, out of business, Aug. 27 at 10, County Court of Gloucestershire, at Stroud.—*Edward Eastland*, Owston, near Gainsborough, Lincolnshire, blacksmith, Aug. 18 at 10, County Court of Lincolnshire, at Lincoln.—*Alexander Allen Prynn*, Dartford, Kent, clerk in the South-eastern Railway Company, Aug. 11 at 10, County Court of Kent, at Ashford.—*Robert Smalley*, Broadgate, Lincolnshire, tailor, Aug. 18 at 10, County Court of Lincolnshire,

at Lincoln.—*Wm. Mitchell*, Wheatley, Oxfordshire, baker, Aug. 18 at 11, County Court of Oxfordshire, at Oxford.—*Michael C. Rawlings*, Chipping Campden, Gloucestershire, farrier, Aug. 20 at 10, County Court of Worcestershire, at Shipston.—*Charles Marklose*, Cheltenham, Gloucestershire, out of business, Aug. 28 at 10, County Court of Gloucestershire, at Gloucester.

Saturday, Aug. 2.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Fox, Victoria-grove, Hackney, Middlesex, foreman to a timber merchant, No. 62,283 T.; *Wm. Mayer*, assignee.—*Robert Collinson*, Newman-street, Oxford-st., Middlesex, upholsterer, No. 62,387 T.; *Julien T. Denis*, assignee.—*John C. White*, Neithrop, Oxfordshire, retailer of beer, No. 73,757 C.; *John N. Harman*, assignee.—*Charles E. Hill*, Witney, Oxfordshire, shoemaker, No. 73,884 C.; *John Weaving* and *Wm. Pinnock*, assignees.—*John Halliday*, Newcastle-upon-Tyne, builder, No. 73,885 C.; *W. Payne*, assignee.—*George Pollard*, Macclesfield, Cheshire, attorney at law, No. 73,281 C.; *Thomas W. Farnell*, assignee.—*Nicholas Buse*, Swansea, Glamorganshire, currier, No. 71,609 C.; *Richard Richards*, assignee.

Saturday, Aug. 2.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Wicks Wood, Deverill-st., Dover-road, Newington, Surrey, woollendrapery: in the Queen's Prison.—*G. Bristol*, Clare-street, Clare-market, Middlesex, baker: in the Queen's Prison.—*John Dear*, Blackfriars-road, Surrey, baker: in the Debtors Prison for London and Middlesex.—*Charles Mokler*, Holywell-street, Shoreditch, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*William Parmenter*, Salem-gardens, Bayswater, Middlesex, labourer: in the Debtors Prison for London and Middlesex.—*John Howard*, Chandon-street, Strand, Middlesex, general contractor: in the Debtors Prison for London and Middlesex.—*George Strutt*, Canterbury-place, Walworth, Surrey, dealer in building materials: in the Gaol of Surrey.—*Mary Ann Hancock*, St. James's-street, Piccadilly, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Philip A. Carter*, London-st., Paddington, Middlesex, foreman to a horse dealer: in the Queen's Prison.—*Benoit Therniere*, Vauxhall-walk, High-street, Vauxhall, Lambeth, Surrey, equestrian artiste: in the Gaol of Surrey.—*Charles B. Grey*, Trinity-place, Wandsworth-road, Vauxhall, Surrey, clerk to a lighterman: in the Debtors Prison for London and Middlesex.—*Henry Middleton*, Upper Ebury-street, Fimlico, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*Richard T. C. Gray*, Bull and Mouth-street, St. Martin's-le-Grand, London, provision merchant: in the Debtors Prison for London and Middlesex.—*Henry Burrage*, Plumber's-row, City-road, Middlesex, zinc worker: in the Debtors Prison for London and Middlesex.—*Edw. Billing*, Oxford-street, Middlesex, assistant to an hotel keeper: in the Debtors Prison for London and Middlesex.—*William Powell*, Wardrobe-place, Doctors'-commons, London, account-book-clasp maker: in the Debtors Prison for London and Middlesex.—*Charles E. Pritchett*, Park-street, Southampton-street, Camberwell, Surrey, hostler: in the Debtors Prison for London and Middlesex.—*John Gray*, Guildford-place, Bagnigge-wells-road, Middlesex, supernumerary inspector of police: in the Debtors Prison for London and Middlesex.—*Chas. Fleay*, Sherborne-street, Blandford-square, Regent's-park, Middlesex, house agent: in the Queen's Prison.—*Harold Stanley*, Gerard-street, Soho, Middlesex, attorney at law: in the Debtors Prison for London and Middlesex.—*T. E. Alcock*, Macclesfield, Cheshire, silk throwster: in the Gaol of Chester.—*James Barton*, East-moor, Stanley-cum-Wrenthorpe, near Wakefield, Yorkshire, stonemason: in the Gaol of York.—*J. Barber*, Portwood within Brinnington, Stockport, Cheshire, baker: in the Gaol of Lancaster.—*Thos. Barron*, Blackburn, Lancashire, twister in a cotton factory: in the Gaol of Lancaster.—*Thomas Cole*, Gloucester, fishmonger: in the Gaol of Gloucester.—*Rich. Cleaver*, Stretton-upon-Dunsmore, Warwickshire, publican: in the Gaol of Coventry.—*D. Garrett*, Liverpool, carpenter: in the Gaol of Lancaster.—*J. O. Hayes*,

Salford, Lancashire, beer-house keeper: in the Gaol of Lancaster.—*Edward Howe*, Chilvers Coton, near Nuneaton, Warwickshire, tailor: in the Gaol of Coventry.—*Thos. Harris*, Nuneaton, Warwickshire, builder: in the Gaol of Warwick.—*John A. Moss*, Sheffield, Yorkshire, commercial traveller: in the Gaol of York.—*James Monks*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Wm. Shephard*, Princethorpe, Warwickshire, tailor: in the Gaol of Coventry.—*W. Ward*, Rugby, Warwickshire, wheelwright: in the Gaol of Coventry.—*Thomas Beesley*, Preston, Lancashire, warehouseman: in the Gaol of Lancaster.—*Wm. Bick*, Devonport, Devonshire, beer-shop keeper: in the Gaol of St. Thomas the Apostle.—*Thomas Davison* the younger, Leeds, Yorkshire, caravan builder: in the Gaol of York.—*John Dean*, Manchester, grocer: in the Gaol of Lancaster.—*James Jeffery*, Pilton, near Barnstaple, Devonshire, turnpike-gate keeper: in the Gaol of St. Thomas the Apostle.—*Thos. Smith*, Hayes, near Bromley, Kent, carpenter: in the Gaol of Maidstone.—*Jas. Wingyett*, Plymouth, Devonshire, painter: in the Gaol of St. Thomas the Apostle.—*James Batho*, Huddersfield, Yorkshire, bookkeeper: in the Gaol of York.—*W. Dibb*, Wortley, near Leeds, Yorkshire, innkeeper: in the Gaol of York.—*Thomas Fearnley*, North Bierley, near Bradford, Yorkshire, shopkeeper: in the Gaol of York.—*Barnabas Dalby*, Wetherby, Yorkshire, chemist: in the Gaol of York.—*George Harriott*, Birmingham, stationer: in the Gaol of Coventry.—*Thomas Bingley* the younger, Yeadon, Guiseley, near Leeds, Yorkshire, farmer: in the Gaol of York.—*Joseph Mewson*, Bolton-upon-Dearne, near Rotherham, Yorkshire, saddler: in the Gaol of York.—*G. L. Williams*, Greenwich-road, Greenwich, Kent, builder: in the Gaol of Maidstone.—*W. Waterhouse*, Sheepridge, near Huddersfield, Yorkshire, farmer: in the Gaol of York.—*Joseph Leaper*, Cawood, near Selby, Yorkshire, saddler: in the Gaol of York.—*John Barker*, Birkenhead, Cheshire, porter dealer: in the Gaol of Chester.

(On Creditor's Petition).

Wm. Taverner, Moretonhamstead, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.

The following Prisoners are ordered to be brought up before a Judge of the County-Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN, Aug. 18.

John Travis, Redbourne, farmer.—*Matthew Fisher*, Market Rasen, farmer.—*Fred. Reeves Barratt*, West Deeping, teacher of music.

FRIDAY, AUGUST 8.

BANKRUPTS.

SAMUEL CHURCHILL, Chrisp-street, Poplar, and **THOMAS CLADEN**, St. Thomas-road, Mile-end Old-town, Stepney, Middlesex, (carrying on business at Church-row, Limehouse), builders, dealers and chapmen, Aug. 20 at 12, and Sept. 10 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Cullen, 57, High-street, Poplar.—Petition filed Aug. 1.

JOSEPH CUNDALL, Old Bond-street, Middlesex, publisher, bookseller, dealer and chapman, Aug. 20 at 11, and Sept. 20 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lawrance & Co., Old Jewry-chambers.—Petition filed Aug. 5.

JOSEPH BEAUMONT, formerly carrying on business at Leman-street, Whitechapel, Middlesex, as an engineer, dealer and chapman, but now out of the jurisdiction of this Court, Aug. 20 at half-past 12, and Sept. 20 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Lindsay & Mason, 26, Gresham-street, City.—Petition filed July 29.

HENRY HAYES, Regent-street, and Stafford-row, Middlesex, draper and tailor, dealer and chapman, Aug. 18 at 11, and Sept. 11 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. H. and J. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Aug. 7.

WILLIAM EDWARD FOLLIT, Chancery-place, Somers-town, Middlesex, carver and gilder, (formerly of Fleet-st., London, carver and gilder, dealer in picture frames, print-seller, and looking-glass manufacturer), Aug. 15 and Sept. 12 at 1, Court of Bankruptcy, London: Off. Ass. Cannon; Sol. Lewis, 15, Wilmington-square.—Petition dated July 25.

ISAAC ISAACS, Swan-street, Minories, London, jeweller, trader, dealer and chapman, Aug. 14 at 11, and Sept. 11 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannon; Sols. J. H. and J. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Aug. 6.

JOHN FRANCKEISS, Portsea and Landport, Southampton, woollendrapery and clothier, dealer and chapman, Aug. 14 at 1, and Sept. 12 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. H. and J. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Aug. 6.

JAMES PARKINS, Cheapside, London, clothier, trader, dealer and chapman, Aug. 20 at half-past 1, and Sept. 20 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. J. H. and J. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Aug. 7.

HODGSON LEWIS and **JAMES HERVEY**, Halifax, Yorkshire, spirit merchants, dealers and chapmen, Aug. 18 and Sept. 19 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Craven & Rankin, Halifax; Courtenay & Compton, Leeds; Venning & Co., 9, Tokenhouse-yard, London.—Petition dated July 30, and filed July 31.

WILLIAM SPEAK, Halifax, Yorkshire, snuff manufacturer, dealer and chapman, Aug. 22 and Sept. 19 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Wavell, Halifax; Courtenay & Compton, Leeds.—Petition dated and filed July 30.

JOHN NEWTON the elder, Watlingborough, Lincolnshire, boat owner, commission agent, broker, and coal merchant, dealer and chapman, Aug. 20 and Sept. 17 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Toynbee, Lincoln; Stamp, Hull; Scott & Tabourdin, Lincoln's-inn-fields, London.—Petition dated and filed Aug. 6.

WILLIAM CLOUGHTON, Kingston-upon-Hull, auctioneer and appraiser, Aug. 20 and Sept. 17 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Richardson & Lee, Hull.—Petition dated Aug. 6.

CONSTANTINE PHIPPS HENVILLE, Seatown-mills, Chidcock, Dorsetshire, miller, Aug. 20 at 11, and Sept. 17 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Mansfield & Andrews, Dorchester; Stogdon, Exeter.—Petition filed Aug. 4.

JOHN PERCIVAL, Market Deeping, Lincolnshire, innkeeper and corn merchant, Aug. 29 and Sept. 12 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Brown, Market Deeping; Bowley, Nottingham.—Petition dated Aug. 2.

MEETINGS.

Henry Davies and *William Davies*, Liverpool, stock-brokers, Aug. 21 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*Thomas Wilson*, *Charles Kirkman Wilson*, and *William Wilson*, Liverpool, linendrapers, Aug. 20 at 11, District Court of Bankruptcy, Liverpool, ch. ass.; Aug. 21 at 11, and. ac. joint and sep. est. of *Charles Kirkman Wilson* and *William Wilson*.—*John Hunt*, Edgeware-road, Middlesex, draper, Aug. 21 at 11, Court of Bankruptcy, London, and. ac.—*Walter M'Dowall*, Little Queen-street, Lincoln's-inn-fields, Middlesex, printer, Aug. 28 at half-past 12, Court of Bankruptcy, London, and. ac.—*Julius Ewald Beerbohm* and *William Edmund Slaughter*, Fenchurch-street, London, merchants, Aug. 27 at 12, Court of Bankruptcy, London, and. ac.—*William Lane Martin*, Gravesend, Kent, ironmonger, Aug. 27 at 12, Court of Bankruptcy, London, and. ac.—*Jacob Harvey*, Gravesend, Kent, timber merchant, Aug. 19 at 12, Court of Bankruptcy, London, and. ac.—*John Wm. Creed*, Tibury Fort, Essex, innkeeper, Aug. 19 at 11, Court of Bankruptcy, London, and. ac.—*Thomas Martin*, Liverpool, Aug. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Frederick Dunoon*, Liverpool, merchant, Aug. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Maurice Jones*, Delamere, Cheshire, livery-stable keeper, Aug. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*John Gray* and *Robert Williams*, Chester, engineers, Aug. 19 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Joseph Robinson Piss*, Birkenhead, Cheshire, brickmaker, Aug. 21 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Patrick Toole*, otherwise *Patrick O'Toole*, Liverpool, provision dealer, Aug. 21 at 11, District Court of Bankruptcy,

Liverpool, and. ac.—*Thomas Williams*, Sandiway, Weaverham, Cheshire, innkeeper, Aug. 21 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*Geo. Schonsner*, Ferryby, Kingston-upon-Hull, and *Henry Schonsner*, late of Sealcoates, Yorkshire, but now of the island of Mauritius, merchants, Aug. 20 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—*Joshua Unwin*, Bradford, Yorkshire, stuff manufacturer, Aug. 29 at 11, District Court of Bankruptcy, Leeds, div.—*George Willis Hinchliffe*, Sheffield, Yorkshire, manufacturer, Aug. 30 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

James Hicks, Mill Pond-bridge, Rotherhithe, Surrey, cooper, Aug. 30 at 11, Court of Bankruptcy, London.—*Thos. Brown*, Leeds, Yorkshire, stockbroker, Sept. 2 at 11, District Court of Bankruptcy, Leeds.—*John Steele*, Spotland-bridge, near Rochdale, Lancashire, Aug. 30 at 12, District Court of Bankruptcy, Manchester.—*Richard Whalley*, Accrington, Lancashire, mercer, Aug. 30 at 11, District Court of Bankruptcy, Manchester.—*William Fradd*, Barnsley, Yorkshire, draper, Aug. 29 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

Leonard W. Lloyd, Goldhawk-terrace, New-road, Shepherd's-bush, Middlesex, builder.—*David Kirby*, Brackley, Northamptonshire, linendraper.—*Wm. Elliott*, Freeling-st., Caledonian-road, Islington, Middlesex, baker.—*Edmund W. Reilly*, Bath and Bathampton, Somersetshire, livery-stable keeper.—*David Johnstone*, Manchester, innkeeper.—*Wm. B. Harrison*, Chorlton-upon-Medlock, Lancashire, bleacher.

PETITION DISMISSED.

Richard Briscoe, Liverpool, draper.

SCOTCH SEQUESTRATIONS.

John Crawford, Glasgow, manufacturer.—*John Urie* and *James Swan Russell*, Glasgow, merchants.—*Andrew Scott*, Kildary, Ross-shire, coal gas manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Jones, Tredegar, Monmouthshire, grocer, Aug. 22 at 10, County Court of Monmouthshire, at Tredegar.—*Edmund Hulbert*, Stockbridge, Southampton, blacksmith, Aug. 29 at 11, County Court of Hampshire, at Romsey.—*Wm. Pelley*, Ventnor, Newchurch, Isle of Wight, Southampton, plasterer, Aug. 27 at 10, County Court of Hampshire, at Newport.—*Thomas J. Cox*, Carleton, St. Cuthbert Without, Cumberland, architect, Aug. 26 at 9, County Court of Cumberland, at Carlisle.—*Abraham Thomas*, Llanvrechva, Monmouthshire, shoemaker, Aug. 21 at 10, County Court of Monmouthshire, at Pontypool.—*Wm. E. Stevens*, Portsea, Hampshire, brass founder, Aug. 26 at 10, County Court of Hampshire, at Portsmouth.—*Charles Bond*, Newport, Monmouthshire, carrier, Aug. 19 at 12, County Court of Monmouthshire, at Newport.—*Richard Henderson*, St. Cuthbert Without, Cumberland, labourer, Aug. 26 at 9, County Court of Cumberland, at Carlisle.—*Henry Hall*, Warwick, shoemaker, Aug. 22 at 2, County Court of Warwickshire, at Warwick.—*J. Temperley*, Newcastle-upon-Tyne, agent, Aug. 28 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Wm. Cockburn*, Newcastle-upon-Tyne, joiner, Aug. 28 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Walter Scott*, Havant, Southampton, printer, Aug. 26 at 10, County Court of Hampshire, at Portsmouth.—*Samuel Grimeley*, Coventry, Warwickshire, ribbon weaver, Aug. 26 at 2, County Court of Warwickshire, at Coventry.—*John Nichols*, Necton, Norfolk, shoemaker, Aug. 19 at 9, County Court of Norfolk, at Swaffham.—*Benjamin Garthwaite*, Gateshead, Durham, commercial traveller, Sept. 1 at 10, County Court of Durham, at Gateshead.—*David Argus*, Aberdare, Glamorganshire, cordwainer, Aug. 14 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*John Norman*, Welbury, near Northallerton, Yorkshire, innkeeper, Aug. 16 at half-past 10, County Court of Yorkshire, at Northallerton.—*George Haydon* the younger, Walsgate, St. Peter-le-Willows, Yorkshire, shoemaker, Aug. 23 at 10, County Court of Yorkshire, at York

Castle.—*Alfred Harmsworth*, Basingstoke, Southampton, clerk to the London and South-western Railway Company, Aug. 23 at 10, County Court of Hampshire, at Basingstoke.—*Charles Lonsley*, North Waltham, near Basingstoke, Southampton, carpenter, Aug. 23 at 10, County Court of Hampshire, at Basingstoke.—*Christopher Joplin*, Knaresborough, Yorkshire, gardener, Aug. 21 at 10, County Court of Yorkshire, at Knaresborough.—*Thomas George Phillips*, Swansea, Glamorganshire, fruiterer, Aug. 21 at 10, County Court of Glamorganshire, at Swansea.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Aug. 26 at 12.

James Richard Taylor, King's Norton, Worcestershire, out of business.—*Henry Silvester*, Aston, button maker.—*Joseph Mountford*, Birmingham, machinist.—*George Harriott*, Birmingham, stationer.—*James Edwin Hewitt*, Birmingham, saddler.

At the County Court of Buckinghamshire, at AYLESBURY, Aug. 27 at 10.

Thomas Holman, Farnham Royal, shoemaker.—*Mary Ann Clarke*, Slough, out of business.

At the County Court of Warwickshire, at WARWICK, Aug. 22 at 10.

Daniel Abraham Earl James, Coventry, out of business.—*Thomas Harris*, Nuneaton, innkeeper.

At the County Court of Carmarthenshire, at CARMARTHEN, Aug. 26 at 2.

Roderick Morgan, Tally, schoolmaster.

At the County Court of Cumberland, at CARLISLE, Aug. 26 at 9.

Joseph Atkinson, Rockliffe, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Aug. 28 at 10.

Thomas Cole, Gloucester, fishmonger.—*Samuel Bearcroft*, Littleworth, smith.

At the County Court of Yorkshire, at YORK CASTLE, Aug. 25 at 10.

Wm. Waterhouse, Sheepbridge, near Huddersfield, out of business.—*James Barton*, East Moor, Stanley-cum-Wrenthorpe, out of business.—*Wm. Hen. Hellowell*, Huddersfield, out of business.—*Thomas Bingley* the younger, Yeadon, out of business.—*Joseph Mawson*, Bolton-upon-Dearne, near Rotherham, harness maker.—*Robert Mossley*, Huddersfield, corn dealer.—*Jos. Leaper*, Cawood, near Selby, saddler.—*Theo. Davison* the younger, Leeds, caravan builder.—*George Robertshaw*, High-town, near Leeds, butcher.—*John Foster*, Manningham, near Bradford, out of business.—*Samuel Norcliffe*, Wakefield, publican.—*Joshua Clegg*, Birkby, near Huddersfield, out of business.—*Barnabas Dalby*, York, out of business.—*Emma Atkinson*, Silsden, near Skipton, linen-draper.—*John Stewart*, Wakefield, auctioneer.—*John Arthur Moss*, Sheffield, commercial traveller.—*John Blagbrough*, Northorham, near Halifax, out of business.—*Chas. Lawson*, Otley, grocer.—*Wm. Dibb*, Leeds, out of business.—*James Batho*, Huddersfield, bookkeeper.—*Benjamin Bailey*, Golear, near Huddersfield, clothier.—*Thomas Fearnley*, North Brierley, near Bradford, grocer.

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John Shacklock, Spalding, Lincolnshire, plumber: 2s. 3½d. in the pound.—*Richard Lambert*, Chesterfield, Derbyshire, mercer: 2s. 10d. in the pound.—*John Colegate*, Cambridge-terrace, Mile-end, Middlesex, coal merchant: 1s. 8½d. in the pound.—*Wm. Firth*, Yeadon, near Leeds, Yorkshire, linen-draper: 1s. 1½d. in the pound.—*Thomas Cotton Garrett Horn*, Walthamstow, Essex, schoolmaster: 5s. 3d. in the pound.—*George Rabbah*, Princes-square, Lambeth, Surrey, clerk in the General Post-office: 7½d. in the pound.—*James Crocker*, Pitt's-place, Old Kent-road, Surrey, linen-draper: 2s. 6½d. in the pound.—*Wm. Alexanders Sanders*, Stour-bridge, Worcestershire, plumber: 1s. 2d. in the pound.—*W. Ogden*, Oldham, Lancashire, cotton spinner: 2½d. in the

pound.—*John Huxford*, Oldham, Lancashire, cotton spinner: 2½d. in the pound.

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MEETINGS.

Henry Bird, Field-cottage, John-street, Upper Holloway, Middlesex, surgeon, Aug. 23 at 11, Vincent & Randall's, 8, Castle-street, Holborn, Middlesex, sp. aff.

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The Jurist

No. 762—VOL. XV.

AUGUST 16, 1851.

PRICE 1s.

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LONDON, AUGUST 16, 1851.

THE Patent Law Amendment Bill, recently thrown out in the Lords, introduced a feature which would have been the commencement of the amalgamation of law and equity. We allude to the clause giving to Courts of law jurisdiction to make orders for injunction, inspection, and account, in any action pending in respect of an infringement of a patent. This has been hitherto a purely equitable jurisdiction; and, not meaning to say that it may not be well administered by a Court of law, it appears clear to us, that if it is fit that a Court of law should grant injunctions, &c. in cases of infringement of patent right, it is equally fit that it should do so in cases of nuisance, of copyright, of breach of contract, and, in fact, in every case in which, according to the present practice of the Court of Chancery, that Court only assumes to act as ancillary to the legal right, and to protect the subject-matter of the claim to property in dispute pending the trial of the legal right.

We have never joined in the cry recently raised for the mixing up indiscriminately of law and equity, as though it were of necessity a mischief that there should be two classes of jurisdiction. We leave such sweeping denunciations of all existing legal arrangements to persons of greater genius than we can pretend to boast; but we do think that there are many cases in which it is a great grievance to the suitor to be obliged to be carrying on two processes at once in respect of the same matter. Thus it is a grievance that an author should be obliged to file a bill, and move upon affidavits in the Court of Chancery for an injunction to prevent the piracy of his work, when that Court cannot determine the ultimate validity of his title, and he is obliged immediately after to bring an action in a court of law to determine whether he can sustain his injunction permanently or not. Here the hardship is, that the Court of law does not possess jurisdiction to protect the property, while it is trying a right which it is pecu-

liarily adapted to try; on the other hand, it is an equal hardship that a Court of equity should, by reason of want of jurisdiction, not have power, or by reason of the custom not have the will, to complete an investigation, for some portion of which it is peculiarly—indeed exclusively—fitted. Take such a case as the administration of an incumbered estate, for which a court of equity is the apt tribunal. In the course of the administration it becomes necessary to ascertain whether a deed was fraudulently obtained or not; and as the Court of Chancery is powerless in dealing with very conflicting testimony, and as in such cases very conflicting testimony very generally exists, the unfortunate suitors must, by an issue at law, try the fact, and then come back to the Court of Chancery, which has all the while been kept standing still in respect to the rest of the case; or, in the course of such an administration, it becomes necessary to determine whether, under a series of legal limitations, one took an estate tail or for life; and then, inasmuch as the question is difficult, and the limitations are legal, the suitor is, according to practice, sent with a case to a Court of law, to argue the effect of these legal limitations for the information of the Court of Chancery, that Court being quite as well fitted in every respect as a Court of law to entertain the question of construction.

In cases of the classes to which we have referred, it would certainly be desirable that whichever Court first has seisin of the subject, should be armed with jurisdiction, and obliged by practice to deal with it throughout. On some subjects, the jurisdiction might be advantageously concurrent; on others, perhaps, not. As an instance of the former, one might refer to all cases in which at present, the ultimate right being considered triable at law, equity in the meantime alone interferes by injunction. If the Court of Chancery were armed with the power of examining witnesses viva voce, and a Court of law with the general power of granting injunctions, and relief incident to injunctions, a question of patent right, of copyright, of spe-

cific performance, of rights to construct works under acts of Parliament, &c., might be tried, from beginning to end, indifferently in a court of equity or a court of law; and it might be left, subject to any special objection, to the choice of the plaintiff in which court he would begin. In others, it is questionable whether the jurisdiction should be concurrent, or at least whether it could be made so without an inconvenient alteration of the machinery of the court. For instance, take such a case as we have mentioned, of a complicated administration suit, when the estate to be administered is subject to the claims of a multitude of incumbrancers disputing as to validity and priorities, and everything else. For this kind of inquiry we believe a Court of law has not, and could not be easily furnished with, any adequate machinery. A Court of equity, on the other hand, lacks no machinery for trying the questions of fact that may come before it in such an inquiry, except the *viva voce* examination of witnesses. Let it be endowed with that, and it could take up and finish an administration suit, without ever requiring to direct either an action or an issue.

As to the practice of the Court of Chancery sending cases to law, and directing actions upon the construction of written instruments, that is a mere practice, to which judges feel themselves called upon to conform, because it is the practice. But the Court of Chancery has just as much jurisdiction to determine the construction of any instrument, whether the limitations be legal or equitable, as a Court of law. It would be very desirable, certainly, that the practice should be, if not abolished, so far modified as to render the sending of a case to law quite the exception.

Correspondence.

TO THE EDITOR OF "THE JURIST."

SIR,—Your correspondent "C. M.," in his remarks upon a late leading article in *THE JURIST*, on the abjuration oath, has, I think, evidently mistaken the effect of the stat. 10 Geo. 1, c. 4, s. 18. He has read the words "the above-recited act" as referring to the stat. 1 Geo. 1, c. 13, which settled the forms of the State oaths for general purposes; whereas those words really refer to the stat. 9 Geo. 1, c. 24, which was temporary and particular in its object. The stat. 10 Geo. 1, c. 4, was merely an amendment of stat. 9 Geo. 1, c. 24, and it recites that act, *and no other*. But it happens that the recited portion of the stat. 9 Geo. 1, c. 24, mentions various other acts by their titles, and of these the stat. 1 Geo. 1, c. 13, is the foremost. Hence "C. M.'s" mistake.

The stat. 9 Geo. 1, c. 24, required all persons above the age of eighteen to come in and take the oaths of allegiance, supremacy, and abjuration before the 25th December, 1723, or, in default thereof, to register their names and estates in the manner required of Papists. The object of this was to afford a political security to the then newly-established dynasty. The enactment was not a mere prohibitory regulation, affecting none but applicants to office; it called upon *all Englishmen* to appear and give a pledge of fidelity to the Government. Those who declined the pledge, would be marked as disaffected persons.

Now, it is evident that the oaths would be valueless as a political test, if proposed in a shape which would give rise to scruples wholly unconnected with politics. Judaism did not, like Popery, imply an attachment, or

probable attachment, to the cause of the Pretender. But a Jew would hesitate to swear "on the true faith of a Christian," and would prefer the alternative of registering. Consequently the register, instead of affording the desired test of disaffection, would present the names of loyal and disloyal persons promiscuously. The stat. 9 Geo. 1, c. 24, made no provision against this inconvenience; but it was one that would very soon manifest itself, and to which (it was to be expected) a remedy would very soon be applied. Accordingly, in the fourth act of the very next session, this remedy was applied by the section in question. For the reasons above given, the Government would have been induced to take this course for its own sake, quite independently of any liberality towards the Jews. But even supposing that toleration had its share of influence, I think we must admit that there was much more call for it in a case where the oath was spontaneously intruded by the State upon all individuals, private as well as public, than where it was merely evoked by applicants for privilege or preferment. The refusal of indulgence in the former case would have been far more active tyranny than in the latter.

"C. M." is also mistaken in stating that the existence of the stat. 10 Geo. 1, c. 4, "does not seem to have been suspected until it was discovered by the industry of Mr. Bethell." He will find it occurring in regular order amongst the numerous statutes referred to in the Report made by the Commons' Committee in 1850. Its real irrelevancy to the great question in dispute was, I suppose, the reason why it obtained little notice in the debates.

F. S.

Statute.

CAP. XCIX.

An Act to amend the Law of Evidence.

[7th August, 1851.]

- Sect. 1. *Recited Proviso in Sect. 1 of 6 & 7 Vict. c. 85, repealed.*
2. *Parties to be admissible Witnesses.*
3. *Nothing herein to compel Person charged with criminal Offence to give Evidence tending to criminate himself, &c.*
4. *Not to apply to Proceedings in Consequence of Adultery, &c.*
5. *Nothing to repeal any Provision of 7 Will. 4 & 1 Vict. c. 26.*
6. *Common-law Courts authorised to compel Inspection of Documents whenever Equity would grant Discovery.*
7. *Foreign and Colonial Acts of State, Judgments, &c. proveable by certified Copies, without Proof of Seal or Signature or Judicial Character of Person signing the same.*
8. *Apothecaries' Certificates admissible without Proof of Seal.*
9. *Documents admissible without Proof of Seal, &c. in England or Wales equally admissible in Ireland.*
10. *Documents admissible without Proof of Seal, &c. in Ireland equally admissible in England and Wales.*
11. *Documents admissible without Proof of Seal, &c. in England, Wales, or Ireland, equally admissible in the Colonies.*
12. *Registers of British Vessels and Certificates of Registry admissible as prima facie Evidence of their Contents, without Proof of Signature, &c.*
13. *Where necessary to prove Conviction or Acquittal of Person charged, not necessary to produce Record, but may be certified under Hand of Clerk of Court.*
14. *Examined or certified Copies of Documents admissible in Evidence.*
15. *Certifying a false Document a Misdemeanour.*
16. *Court &c. may administer Oaths.*

17. *Persons forging Seal, Stamp, or Signature of certain Documents, or wilfully uttering same, guilty of Felony.*
18. *Act not to extend to Scotland.*
19. *Interpretation of "British Colony."*
20. *Commencement of Act.*

Whereas it is expedient to amend the law of evidence in divers particulars: be it therefore enacted &c. as follows:—

Sect. 1. So much of sect. 1 of the 6 & 7 Vict. c. 85, as provides that the said act shall "not render competent any party to any suit, action, or proceeding individually named in the record, or any lessor of the plaintiff, or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any defendant in replevin may make cognisance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part," is hereby repealed.

2. On the trial of any issue joined, or of any matter or question, or on any inquiry arising in any suit, action, or other proceeding in any court of justice, or before any person having by law, or by consent of parties, authority to hear, receive, and examine evidence, the parties thereto, and the persons in whose behalf any such suit, action, or other proceeding may be brought or defended, shall, except as hereinafter excepted, be competent and compellable to give evidence, either *viva voce* or by deposition, according to the practice of the court, on behalf of either or any of the parties to the said suit, action, or other proceeding.

3. But nothing herein contained shall render any person who in any criminal proceeding is charged with the commission of any indictable offence, or any offence punishable on summary conviction, competent or compellable to give evidence for or against himself or herself, or shall render any person compellable to answer any question tending to criminate himself or herself, or shall in any criminal proceeding render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband.

4. Nothing herein contained shall apply to any action, suit, proceeding, or bill in any court of common law, or in any ecclesiastical court, or in either House of Parliament, instituted in consequence of adultery, or to any action for breach of promise of marriage.

5. Nothing herein contained shall repeal any provision contained in stat. 7 Will. 4 & 1 Vict. c. 26.

6. Whenever any action or other legal proceeding shall heretofore be pending in any of the superior courts of common law at Westminster or Dublin, or the Court of Common Pleas for the county palatine of Lancaster, or the Court of Pleas for the county of Durham, such court and each of the judges thereof may respectively, on application made for such purpose by either of the litigants, compel the opposite party to allow the party making the application to inspect all documents in the custody or under the control of such opposite party relating to such action or other legal proceeding, and, if necessary, to take examined copies of the same, or to procure the same to be duly stamped, in all cases in which previous to the passing of this act a discovery might have been obtained by filing a bill or by any other proceeding in a court of equity at the instance of the party so making application as aforesaid to the said court or judge.

7. All proclamations, treaties, and other acts of state of any foreign state or of any British colony, and all judgments, decrees, orders, and other judicial proceedings of any court of justice in any foreign state or in any British colony, and all affidavits, pleadings, and other legal documents filed or deposited in any such court, may be proved in any court of justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence, either by examined copies or by copies authenticated as hereinafter mentioned; that is to say, if the document sought to be proved be a proclamation, treaty, or other act of state, the authenticated copy to be admissible in evidence must purport to be sealed with the seal of the foreign state or British colony to which the original document belongs; and if the document sought to be proved be a judgment, decree, order, or other judicial proceeding of any foreign or colonial court, or an affidavit, pleading, or other legal document filed or deposited in any such court, the authenticated copy to be admissible in evidence

must purport either to be sealed with the seal of the foreign or colonial court to which the original document belongs, or, in the event of such court having no seal, to be signed by the judge, or, if there be more than one judge, by any one of the judges of the said court, and such judge shall attach to his signature a statement in writing on the said copy that the court whereof he is a judge has no seal; but if any of the aforesaid authenticated copies shall purport to be sealed or signed as hereinbefore respectively directed, the same shall respectively be admitted in evidence in every case in which the original document could have been received in evidence, without any proof of the seal where a seal is necessary, or of the signature, or of the truth of the statement attached thereto, where such signature and statement are necessary, or of the judicial character of the person appearing to have made such signature and statement.

8. Every certificate of the qualification of an apothecary which shall purport to be under the common seal of the society of the art and mystery of apothecaries of the city of London shall be received in evidence in any court of justice, and before any person having by law or by consent of parties authority to hear, receive, and examine evidence, without any proof of the said seal or of the authenticity of the said certificate, and shall be deemed sufficient proof that the person named therein has been from the date of the said certificate duly qualified to practise as an apothecary in any part of England or Wales.

9. Every document which by any law now in force or hereafter to be in force is or shall be admissible in evidence of any particular in any court of justice in England or Wales without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in evidence to the same extent and for the same purposes in any court of justice in Ireland, or before any person having in Ireland by law or by consent of parties authority to hear, receive, and examine evidence, without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

10. Every document which by any law now in force or hereafter to be in force is or shall be admissible in evidence of any particular in any court of justice in Ireland without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in evidence to the same extent and for the same purposes in any court of justice in England or Wales, or before any person having in England or Wales by law or by consent of parties authority to hear, receive, and examine evidence, without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

11. Every document which by any law now in force or hereafter to be in force is or shall be admissible in evidence of any particular in any court of justice in England or Wales or Ireland without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in evidence to the same extent and for the same purposes in any court of justice of any of the British colonies, or before any person having in any of such colonies by law or by consent of parties authority to hear, receive, and examine evidence, without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

12. Every register of a vessel kept under any of the acts relating to the registry of British vessels may be proved in any court of justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence, either by the production of the original or by an examined copy thereof, or by a copy thereof purporting to be certified under the hand of the person having the charge of the original, and which person is hereby required to furnish such certified copy to any person applying at a reasonable time for the same, upon payment of the sum of 1s.; and every such register or such copy of a register, and also every certificate of registry, granted under any of the acts relating to the registry of British vessels, and purporting to be signed as required by law, shall be received in evidence in any court of justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence, as *prima facie* proof of all the matters contained or recited in such register when the register or such copy

thereof as aforesaid is produced, and of all the matters contained or recited in or indorsed on such certificate of registry when the said certificate is produced.

13. And whereas it is expedient, as far as possible, to reduce the expense attendant upon the proof of criminal proceedings: be it enacted, that whenever in any proceeding whatever it may be necessary to prove the trial and conviction or acquittal of any person charged with any indictable offence, it shall not be necessary to produce the record of the conviction or acquittal of such person, or a copy thereof, but it shall be sufficient that it be certified or purport to be certified under the hand of the clerk of the court or other officer having the custody of the records of the court where such conviction or acquittal took place, or by the deputy of such clerk or other officer, that the paper produced is a copy of the record of the indictment, trial, conviction, and judgment or acquittal, as the case may be, omitting the formal parts thereof.

14. Whenever any book or other document is of such a public nature as to be admissible in evidence on its mere production from the proper custody, and no statute exists which renders its contents proveable by means of a copy, any copy thereof or extract therefrom shall be admissible in evidence in any court of justice, or before any person now or hereafter having by law or by consent of parties authority to hear, receive, and examine evidence, provided it be proved to be an examined copy or extract, or provided it purport to be signed and certified as a true copy or extract by the officer to whose custody the original is intrusted, and which officer is hereby required to furnish such certified copy or extract to any person applying at a reasonable time for the same, upon payment of a reasonable sum for the same, not exceeding 4d. for every folio of ninety words.

15. If any officer authorised or required by this act to furnish any certified copies or extracts shall wilfully certify any document as being a true copy or extract, knowing that the same is not a true copy or extract, as the case may be, he shall be guilty of a misdemeanour, and be liable, upon conviction, to imprisonment for any term not exceeding eighteen months.

16. Every court, judge, justice, officer, commissioner, arbitrator, or other person, now or hereafter having by law or by consent of parties authority to hear, receive, and examine evidence, is hereby empowered to administer an oath to all such witnesses as are legally called before them respectively.

17. If any person shall forge the seal, stamp, or signature of any document in this act mentioned or referred to, or shall tender in evidence any such document with a false or counterfeit seal, stamp, or signature thereto, knowing the same to be false or counterfeit, he shall be guilty of felony, and shall upon conviction be liable to transportation for seven years, or to imprisonment for any term not exceeding three years nor less than one year, with hard labour; and whenever any such document shall have been admitted in evidence by virtue of this act, the court or the person who shall have admitted the same may, at the request of any party against whom the same is so admitted in evidence, direct that the same shall be impounded and be kept in the custody of some officer of the court or other proper person for such period and subject to such conditions as to the said court or person shall seem meet; and every person who shall be charged with committing any felony under this act, or under the act of the 8 & 9 Vict. c. 113, may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been committed, in the county, district, or place in which he shall be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence laid and charged to have been committed, in any county, district, or place in which the principal offender may be tried.

18. This act shall not extend to Scotland.

19. The words "British Colony" as used in this act shall apply to all the British territories under the government of the East India Company, and to the Islands of Guernsey, Jersey, Alderney, Sark, and Man, and to all other possessions of the British Crown, wheresoever and whatsoever.

20. This act shall come into operation the 1st November in the present year.

[On account of its great importance we have inserted this act out of its turn and place. We shall take an early opportunity of examining in this journal its material clauses.—ED.]

London Gazette.

TUESDAY, August 12.

BANKRUPTS.

RICHARD SEYMOUR, Downham, Cambridgeshire, grocer and farmer, Aug. 23 at half-past 1, and Sept. 20 at half-past 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Archer, Ely; Trinder & Eyre, John-street, Bedford-row, London.—Petition filed July 31.

JOHN VEYERS, Ironmonger-lane, London, woollen warehouseman and commission agent, dealer and chapman, Aug. 18 at half-past 12, and Sept. 18 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Lloyd, Milk-street, Cheapside.—Petition filed July 31.

THOMAS FOOT PIPER, Laurence-lane and Bishopsgate-street, London, and Victoria-road, Pimlico, Middlesex, and Landport, Hampshire, wholesale stay maker, dealer and chapman, Aug. 18 at 12, and Sept. 18 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Cox, Finner's-hall.—Petition filed Aug. 2.

JOHN BIRNIE PHILIP, JOHN RICHARD CLAYTON, EDWARD AGAR WYNNE, and JOHN LUMSDEN, East-street, Manchester-square, Middlesex, builders, traders, dealers and chapman, Aug. 20 at half-past 1, and Sept. 20 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Messrs. Linklater, 1, Charlotte-row, Mansion-house.—Petition filed Aug. 8.

FREDERICK MILLAR, Hippodrome Stables, St. John's-wood, and Sheppard-street, May-fair, Middlesex, livery stable keeper, dealer and chapman, Aug. 21 and Sept. 25 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Holmes, 158, Fenchurch-street.—Petition dated Aug. 7.

EDWARD CLAY, Eastry, near Sandwich, Kent, linen draper, hosier, and tailor, Aug. 21 at half-past 12, and Sept. 25 at half-past 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Buchanan, 8, Basinghall-street.—Petition dated Aug. 11.

WILLIAM POWELL, Jefferys-street, Camden-town, Middlesex, builder, carpenter, dealer and chapman, Aug. 18 at 12, and Sept. 18 at half-past 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrence & Co., 14, Old Jewry-chambers; Dale, Warrford-court.—Petition dated Aug. 8.

RICHARD MOTT, Gracechurch-street, London, tailor and draper, Aug. 18 at half-past 1, and Sept. 25 at 2, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Vincent & Gabriel, 4, Inner Temple-lane.—Petition dated Aug. 11.

JOHN NEWTON the elder, *Washingborough*, (and not *Wattingborough*, as before advertised), Lincolnshire, boat owner, commission agent, broker, and coal merchant, dealer and chapman, Aug. 20 and Sept. 17 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Toynbee, Lincoln; Stamp, Hull; Scott & Thourdin, Lincoln's-inn-fields, London.—Petition dated and filed Aug. 6.

RICHARD JACKSON, Liverpool and Bolton-le-Moors, Lancashire, organ builder, dealer and chapman, Aug. 27 and Sept. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Dodge, Liverpool.—Petition filed Aug. 7.

THOMAS RICHARDSON, Liverpool, cutler, dealer and chapman, Aug. 21 and Sept. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Hime, Liverpool.—Petition filed Aug. 9.

SAMUEL CHERRY, Liverpool, broker, Aug. 25 and Sept. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Norris, Liverpool.—Petition filed Aug. 11.

MEETINGS.

John Allmand, Wrexham, Denbighshire, haberdasher, Aug. 22 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Hannah*, Huddersfield, Yorkshire, cloth dresser, Aug. 22 at 11, District Court of Bankruptcy, Leeds, and ac.—*George Willis Hinchliffe*, Sheffield, Yorkshire, manufacturer, Aug. 23 at 10, District Court of Bankruptcy, Sheffield, and ac.—*Edmund Nicholson*, York, tailor, Sept. 5 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Andrew Burn, Sackville-street, Piccadilly, Middlesex, tailor, Sept. 4 at 11, Court of Bankruptcy, London.—*William Hamley*, Bristol, builder, Sept. 4 at 11, District Court of Bankruptcy, Bristol.—*Francis Farwand*, Almondsbury, Yorkshire, fancy cloth manufacturer, Sept. 4 at 11, District Court of Bankruptcy, Leeds.—*Edmund Nicholson*, York, tailor, Sept. 4 at 11, District Court of Bankruptcy, Leeds.—*Thos. Slater*, Cheetham, and *Joshua Paton*, Broughton, Lancashire, cotton spinners, Sept. 3 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Levy Delgmon Smith, Little Knight Rider-street, London, calenderer.—*William Pile*, Monkwearmouth, Durham, ship-builder.—*John Hinks*, Warwick, grocer.—*Robert Cleaver*, Stratton-on-Dunsmore, Warwickshire, timber dealer.—*John Bannister*, Birmingham, general hardware dealer.—*Wm. Geo. Henry Tawnton*, Liverpool, civil engineer.

SCOTCH SEQUESTRATIONS.

Thomas Buchan, Dundee, grocer.—*James John Cunningham*, deceased, Swintonhill, Berwickshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Payne the younger, Thetford, Suffolk, grocer, Aug. 28 at 11, County Court of Norfolk, at Thetford.—*Chas. Lucas*, Leckhampton, Gloucestershire, stonemason, Aug. 26 at 10, County Court of Gloucestershire, at Cheltenham.—*John Attwood*, Canterbury, Kent, out of business, Aug. 18 at 10, County Court of Kent, at Canterbury.—*David Dickinson*, Kingston-upon-Hull, farmer, Aug. 23 at 11, County Court of Yorkshire, at Beverley.—*Hen. Raphael*, Bristol, cigar dealer, Oct. 1 at 11, County Court of Gloucestershire, at Bristol.—*Joseph Radford* the younger, Bristol, brassfounder, Oct. 1 at 11, County Court of Gloucestershire, at Bristol.—*Moses Rowbottom*, Charlesworth, Derbyshire, joiner, Sept. 3 at 10, County Court of Derbyshire, at Glossop.—*Henry Lewis*, Newbury, Berkshire, butcher, Sept. 3 at 10, County Court of Berkshire, at Windsor.—*Wm. Sims*, Rickerscote, Staffordshire, labourer, Aug. 27 at 10, County Court of Staffordshire, at Stafford.—*Jonathan Rye*, Canterbury, Kent, miller, Aug. 16 at 11, County Court of Kent, at Romney.

Saturday, Aug. 9.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Swalling, Greenwich, Kent, builder, No. 62,260 T.; *William Gleaves*, assignee.

Saturday, Aug. 9.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Edward Richards, Hyde-terrace, Battersea, Surrey, out of business: in the Queen's Prison.—*Henry Phillips*, Milton-st., Fore-st., Cripplegate, London, whalebone manufacturer: in the Debtors Prison for London and Middlesex.—*Charles Halstead*, Mansfield-street, Kingsland-road, Middlesex, silk weaver: in the Debtors Prison for London and Middlesex.—*Thos. Arrowsmith Farrall*, Craven-street, Strand, Middlesex, general commission agent: in the Debtors Prison for London and Middlesex.—*Edw. Hodges*, Northumberland-st., Strand, Middlesex, bill discounter: in the Queen's Prison.—*J. Stott* the younger, Hereford-terrace, De Beauvoir-road, Kingsland, Middlesex, oil and colour man: in the Debtors Prison for London and Middlesex.—*Stephen George Burridge*, Arnold's-place, Francis-street, Newington, Surrey, tailor: in the Gaol of Horsemerger-lane.—*Jos. Jas. Dell*, York-row, Kennington-road, Surrey, licensed victualler: in the Queen's Prison.—*James Elliot*, Brunswick-place, Wyndham-road, Camberwell, Surrey, retailer of beer: in the Queen's Prison.—*R. Bardsley*, Oldham, Lancashire, beer-seller: in the Gaol of Lancaster.—*John Crompton*, Salford, Lancashire, butcher: in the Gaol of Lancaster.—*Charles Jones*, Bristol, baker: in the Gaol of

Bristol.—*Alfred Leete*, Cambridge, farmer: in the Gaol of Cambridge.—*Benjamin Nick. Saxton*, Manchester, blacking manufacturer: in the Gaol of Lancaster.—*John Anselmy Toms*, Tiverton, Devonshire, attorney-at-law: in the Gaol of St. Thomas the Apostle.—*John Wright*, Blackburn, Lancashire, provision dealer: in the Gaol of Lancaster.—*James E. Hewitt*, Birmingham, saddler: in the Gaol of Coventry.—*J. Smith*, Blackburn, Lancashire, stonemason: in the Gaol of Lancaster.—*John Lloyd*, Leominster, Herefordshire, carpenter: in the Gaol of Hereford.—*Charles E. Lenton*, Stocklinch, Magdalen, Ilminster, Somersetshire, in no business: in the Gaol of Wilton.—*Richard Ayre*, Newcastle-upon-Tyne, agent: in the Gaol of Newcastle-upon-Tyne.—*Abraham Levy*, Newcastle-upon-Tyne, general dealer: in the Gaol of Newcastle-upon-Tyne.—*John Arkley*, Newcastle-upon-Tyne, butcher: in the Gaol of Newcastle-upon-Tyne.—*Thomas Whitworth*, Manchester, builder: in the Gaol of Lancaster.—*James Marr*, Lancaster, butcher: in the Gaol of Lancaster.—*L. Hasseltine*, Salford, Manchester, out of business: in the Gaol of Lancaster.—*Wm. J. Taylor*, Lancaster, attorney-at-law: in the Gaol of Lancaster.—*Augustus George Blake*, Seacombe, near Liverpool, commission agent: in the Gaol of Lancaster.—*Thomas Barratt*, Bootle, near Liverpool, ship smith: in the Gaol of Lancaster.—*Wm. Turkington*, Heaton Norris, near Manchester, furniture broker: in the Gaol of Lancaster.—*Robert Gillard*, Oakford, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*James Vile*, Milford, near Lymington, Hampshire, butcher: in the Gaol of Winchester.—*Philip B. Hill*, Dulverton, Somersetshire, in no trade: in the Gaol of St. Thomas the Apostle.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, Aug. 27 at 10.

Joseph Butterworth, Hanley, commission agent.—*James F. Bladen*, Wolverhampton, in no business.—*Thomas Biddle*, Rushall, huckster.

At the County Court of Northumberland, at NEWCASTLE, Aug. 28 at 10.

Richard Ayre, Newcastle-upon-Tyne, agent.—*J. Arkley*, Newcastle-upon-Tyne, butcher.

INSOLVENT DEBTORS' DIVIDEND.

George Topham, Alfreton, Derbyshire, grocer, Aug. 13, at Jessop's, Alfreton: 3s. 5½d. in the pound.

FRIDAY, AUGUST 15.

BANKRUPTS.

MANUS FEENY and JOHN GARD, St. Martin's-lane, Middlesex, woollendrapers, dealers and chapmen, Aug. 29, and Sept. 27 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Reed & Co., 59, Friday-st., Cheapside.—Petition dated Aug. 12.

GEORGE NOCK and JOHN WILLIAMS, Frith-street, Soho, Middlesex, goldsmiths and jewellers, dealers and chapmen, Aug. 22 at 10, and Oct. 3 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Teague, 5, Crown-court, Cheapside.—Petition dated Aug. 9.

THOMAS DAVEY the younger, Halsted, Essex, builder, Aug. 22 at 2, and Sept. 27 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Parker, Chelmsford, Essex, and 8, Gray's-inn-square.—Petition dated Aug. 12.

HENRY BEAL, Shoe-lane, Fleet-st., London, bookseller and publisher, dealer and chapman, Aug. 22 at 12, and Sept. 27 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Forster, 6, Crosby-square.—Petition dated Aug. 8.

JOHN PAUL, Oxford-street, Middlesex, milliner and straw bonnet dealer, dealer and chapman, Aug. 22 at half-past 12, and Sept. 27 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Seaman, 12, Pancras-lane, Cheapside.—Petition dated Aug. 12.

GEORGE SMALL, Folkestone, Kent, tailor, draper, and hatter, trader, dealer and chapman, Aug. 23 at 11, and Sept. 20 at half-past 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Willoughby & Cox, 13, Clifford's-inn.—Petition filed Aug. 12.

WILLIAM FREDERICK DONOVAN, Oxford-street, St. George, Hanover-square, Middlesex, poultryer and egg merchant, Aug. 21 at half-past 1, and Oct. 3 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Smith & Page, 13, Duke-street, Manchester-square.—Petition dated Aug. 2.

CHRISTOPHER OLEY, Newcastle-upon-Tyne, ship and insurance broker, Aug. 26 at half-past 12, and Oct. 7 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Phillipson, Newcastle-upon-Tyne.—Petition filed Aug. 5.

WILLIAM BAIRD, Liverpool, paperhanger, dealer and chapman, Aug. 27 and Sept. 16 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cassmore; Sol. Grocott, Liverpool.—Petition filed Aug. 12.

MEETINGS.

Wm. Whitehead, Lancaster, cabinet maker, Aug. 27 at 12, District Court of Bankruptcy, Manchester, last ex.—*Virgil James Powell*, King's-place, Commercial-road East, Middlesex, tobacco and snuff manufacturer, Sept. 5 at 1, Court of Bankruptcy, London, and. ac.; Sept. 8 at 1, div.—*James Robinson*, Kingston-upon-Hull, scrivener, Aug. 27 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—*Walter McDowell*, Little Queen-st., Lincoln's-inn-fields, Middlesex, printer, Sept. 8 at 12, Court of Bankruptcy, London, div.—*Wm. Haskin Osborn*, Sheffield, Yorkshire, wine merchant, Sept. 6 at 10, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Richard Clarke Pauling, Great Percy-street, Pentonville, Middlesex, railway contractor, Sept. 6 at 11, Court of Bankruptcy, London.—*Benjamin Whitaker* and *John Fulllove*, Manchester, manufacturers, Sept. 9 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

James Gillett Beach, Woolwich, Kent, licensed victualler.—*Thos. Lucas Clayton*, Pottsgrove, near Woburn, Bedfordshire, milkman.—*Wm. Mitchener Mansfield*, Leeds, Yorkshire, silk mercer.—*Wm. Mays Harbridge*, Woodbridge, Suffolk, grocer.—*Wm. Watson*, Salisbury-court, Fleet-street, London, licensed victualler.—*Jos. Emerson Dowson*, Oxford-st., Marylebone, Middlesex, furnishing ironmonger.—*James Lemmon*, Norwich, printer.—*Joseph Charles Ridge*, Great St. Helen's, Bishopsgate, London, wine merchant.

PETITION ANNULLLED.

Richard Moore, Sun Tavern-fields, St. George's-in-the-East, and Aschurch-villas, New-road, Hammersmith, Middlesex, commission agent.

PARTNERSHIPS DISSOLVED.

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SOLEMN SEQUESTRATION.

Hugh Ross, Broadford, Island of Skye, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Adams, Reading, Berkshire, furniture broker, Sept. 2 at half-past 10, County Court of Berkshire, at Reading.—*W. Archer*, Alcester, Warwickshire, glass dealer, Aug. 21 at half-past 2, County Court of Warwickshire, at Alcester.—*James Russell*, Studley, Warwickshire, groom, Aug. 21 at half-past 2, County Court of Warwickshire, at Alcester.—*J. Hughes*, Faversham, Kent, saddler, Sept. 12 at 12, County Court of Kent, at Faversham.—*Evans Evans*, Denbigh, farmer, Sept. 10 at 11, County Court of Denbighshire, at Denbigh.—*Wm. Henry Roberts*, Denbigh, auctioneer, Sept. 10 at 11, County Court of Denbighshire, at Denbigh.—*Horatio Haldenby*, Skipton, Yorkshire, schoolmaster, Aug. 29 at 10, County Court of Yorkshire, at Skipton.—*Charles Mangham*, Wath-

upon-Dearne, Yorkshire, coal miner, Aug. 29 at 1, County Court of Yorkshire, at Rotherham.—*George Clarke* the elder, Lutton, Lincolnshire, out of business, Sept. 11 at 12, County Court of Lincolnshire, at Holbeach.—*G. Clarke* the younger, Sutton St. Mary, Lincolnshire, out of business, Sept. 11 at 12, County Court of Lincolnshire, at Holbeach.—*W. Collins*, Wolverhampton, Staffordshire, attorney's clerk, Aug. 21 at 12, County Court of Staffordshire, at Wolverhampton.—*John Greatris*, Wolverhampton, Staffordshire, out of business, Aug. 21 at 12, County Court of Staffordshire, at Wolverhampton.—*Matthew Leader*, Shelton, Staffordshire, joiner, Aug. 29 at 10, County Court of Staffordshire, at Hanley.—*David Wheeler*, Frome, Somersetshire, stationer, Aug. 20 at 11, County Court of Somersetshire, at Frome.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

James Shoeney, Liverpool, cart owner, No. 73,873; *Thames Maguire*, assignee.—*James Echersley*, West Hougham, near Bolton-le-Moors, farmer, No. 73,902; *John Mather*, assignee.—*Holland Massey*, Houghton, near Ashton-under-Lyne, butcher, No. 73,683; *Edward Ingham*, assignee.—*Joseph Pearson*, Lancaster Castle, a prisoner for debt, No. 73,927; *John Ridgway*, assignee.—*George Brumby*, Liverpool, assistant to a car proprietor, No. 73,991; *Henry Smith*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Aug. 29 at 11.

William Henry Wild, Manchester, out of business.—*John Dickinson*, Salford, Manchester, out of business.—*James Wright Dentith*, Liverpool, ale, porter, and cigar dealer.—*Richard Lynch*, Manchester, shoemaker.—*Augustus George Blake*, Liverpool, commission agent.—*Thomas Beesley*, Preston, warehouseman.—*Samuel Johnson* the younger, Liverpool, auctioneer.—*William Jennings*, Manchester, stonemason.—*William Torkington*, Heaton Norris, near Manchester, out of business.—*T. Barratt*, Bootle, near Liverpool, ship smith.—*J. Rawlings*, Earsby, Huntingdonshire, lighterman.—*Benjamin Nicholas Saxon*, Manchester, blacking manufacturer.—*Samuel Godwin*, Manchester, pattern designer.—*Jas. Merr*, Lancaster, out of business.—*Peter Higson*, Lancaster, in no business.—*Richard Brookes*, Swinton, out of business.—*Leonard Heselstine*, Salford, out of business.

At the County Court of Hampshire, at WINCHESTER, Aug. 30.

James Viñ, Milford, near Lymington, collector of taxes.

At the County Court of Devonshire, at EXETER, Aug. 30 at 10.

Mary Shapley, Harford, Ilington, shopkeeper.—*Robert Gillard*, Oakford, out of business.—*E. Shapley*, Harford, Ilington, shopkeeper.—*John Anstey Tams*, Tiverton, attorney-at-law.—*Philip Blundell Hill*, Dulverton, Somersetshire, following no occupation.—*James Poole*, Chetcombe Barton, Tiverton, farmer.—*Charles Edwards*, Tor, Tormoham, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

James Patrick Cockerell, R. N., Moriston and Burnham Wery, Norfolk, chief officer in the Coast Guard Service, and Lieutenant on half-pay, Sept. 1, Symons's, Devonport: 6s. 6d. 3s. 6d. in the pound, (in addition to a former dividend of 2s. 8d.)

MASTER IN CHANCERY.—The Lord Chancellor has appointed John Hutchinson, Gent., of Sunderland, in the county palatine of Durham, to be a Master Extraordinary in the High Court of Chancery.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—The Hon. Charles Stewart Hardinge, for the borough of Downpatrick, in the room of Richard Ker, Esq., who has accepted the office of Steward of her Majesty's Chiltern Hundreds.

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The Jurist

No. 763—VOL. XV.

AUGUST 23, 1851.

PRICE 1s.

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LONDON, AUGUST 23, 1851.

We call the attention of our readers, of both branches of the Profession, to the resolution passed by the Bar of the Northern Circuit on the 18th instant, the result of which is, that any barrister may, in a county court, accept and hold a brief without a special fee, that is, with a fee of only one guinea; and that it is in accordance with etiquette for barristers to attend and to sit in the county courts, and to form a Bar there, if they think fit so to do.

We think the Bar of the Northern Circuit have taken a most wise and proper view of this question, and we doubt not that it will be followed by the Bar generally. Indeed, the resolution, passed by so large and influential a portion of the Bar, is of itself an authority on which any junior barrister may prudently act.

Of the propriety of the course now sanctioned by this resolution, with reference to the interests both of the public and of the Profession, we never had any doubt. Whether the establishment of the county courts was or was not originally politic and wise—a question which it would be now idle to discuss—established they are. They are a fact, and a great fact; and if the people like to have a large portion of their law administered to them through those tribunals, instead of through the courts of Westminster Hall, they have a fair claim to have it administered to them as good and as pure as it can be obtained. The Bar, therefore, assuming it to lay claim, as in fact it does, to be considered as an essential portion of the pure administration of justice, would have been placing an impediment in the way of that administration, if it had said, in effect, by refusing to attend county courts without a special fee in every case, that, in a great majority of the cases tried in those courts, the judge and the suitors should not have the assistance of the Bar at all; for it is perfectly well known, that a guinea for counsel's fee is the very utmost that any case under 20l. will bear,

and even but a small proportion of those will bear it. But as there is a proportion of those cases that will bear the expense of retaining counsel at guinea fees, and as the cases are so numerous that even a small proportion of the whole gives a considerable numerical result, the Bar will, by the resolution just passed, if it be acted upon, give to the county court public the opportunity of freely determining for itself whether it will prefer the assistance of counsel or not. We have no doubt of the result, and we think, that while the Bar has, in this instance, acted in a proper spirit of compliance with the apparent wants of the public, they have also acted in a spirit of wisdom as regards themselves. It is perfectly manifest that a large proportion of the business of the courts of Westminster is passing from them into the county courts, and it is yet difficult to see to what extent the transmigration may take effect. It would be, therefore, perfectly suicidal in the Bar to persist in clinging to courts from which business is ebbing, to the neglect of those into which it is flowing. The change on the ultimate position of a large part of the outer Bar may be very great. It is yet too early in the history of the jurisdictional change which is taking place for us to pretend to foresee what it may be; but this we have long foreseen, and do now most earnestly press upon the junior Bar, that as, in point of principle, the law and lawyers are made for the people, and not the people for the law, and as, in point of fact, the people have said they *will* take a great deal of their law business into the new jurisdiction, at least half the junior Bar must determine upon accepting the change and following the new jurisdiction, or retiring into other pursuits. Some difficulty has been expected to arise with respect to the new sort of business and mode of procedure, as to the professional intercourse of the two branches of the Profession, on which we have already touched. On this there have been several suggestions, and among others, the idea of amalgamating the character of coun-

sel and attorney in the county courts, so that counsel should receive instructions direct from the suitors, has been thrown out, and somewhat discussed.

For ourselves, we conceive that this amalgamation ought to be looked upon quite as a dernier ressort, and not attempted until the old professional rule has been fully tried and found wanting. Whatever may be the case in other countries—on which we shall not speculate—beyond all question, in this country great convenience and benefit have resulted from the practice of the solicitor seeing the real client, and the counsel taking his instructions only from the solicitor. There is a quantity of business of detail and irrelevant matter always to be dealt with by the person who takes the instructions of the real clients, especially when they are uneducated persons, which necessarily engrosses much time; and no one can do that business properly, and also properly cultivate his legal knowledge and practical forensic ability.

Further, it is scarcely possible for the professional man, who comes in immediate contact with the anxious and perhaps heated suitor, not to be affected by some portion of his anxiety and excitement, and not to carry it with him into court, if he acts as advocate as well as attorney.

Now, nothing is more prejudicial to the tranquil and speedy administration of justice, in matters of sufficient intricacy and importance to require and bear the expense of advocates at all, than to have the judge harassed and bewildered by the heated, and therefore frequently incoherent, statements and argumentations of advocates personally affected by feeling. This is no mere theoretic deduction: it is a fact seen and felt, whenever in court parties plead their own causes, and often in the Masters' offices and at the Judges' chambers, in that kind of business in which the same persons who have been in contact with the suitors, act as advocates.

It does not appear to us that there is at present any sufficient evidence to shew that there is in county court business anything which makes it inexpedient to continue the existing practice. If, indeed, it be the fact, as it has been asserted, or if it should hereafter become the fact, that the attorneys practising in county courts exercise any undue control over their clients to exclude or prevent them from having the services of counsel;—when such a practice is proved, or shall hereafter be apparent, it will be time enough for the Bar to consider what course ought to be taken. At present, we do not believe any such practice exists generally, nor do we apprehend that it will be attempted, or, if attempted, can be enforced, if the junior Bar will only respond frankly to the call of the Northern Circuit, and form a Bar in the county courts, and there practice with all the same regard to etiquette and high forensic breeding that they have hitherto used in the superior courts.

IN THE JURIST of last week (part 1, p. 732) a case of *Coe v. Platt* is reported, in which, as all the judges of the Exchequer agree, we suppose the decision must be taken to be correct. At the same time, it gives so extraordinary a result to an act of Parliament, that we are somewhat astonished at the precise and technical

construction adopted by the Court. The point in the case was, in form, one of pleading, but in reality it was also one of substance; and it was decided upon the construction of the Factories Act, 7 & 8 Vict. c. 15, by which it is enacted, that "every fly-wheel directly connected with the steam-engine or water-wheel, or other mechanical power, whether in the engine-house or not, and every part of a steam-engine and water-wheel, and every hoist or teagle, near to which children or young persons are liable to pass or be employed, and all parts of the mill gearing in a factory, shall be securely fenced; and every wheel-race not otherwise secured shall be fenced close to the edge of the wheel-race; and the said protection to each part shall not be removed while the parts required to be fenced are in motion by the action of the steam-engine, water-wheel, or other mechanical power, for any manufacturing process." The declaration in the action stated, "that the plaintiff lawfully was in the said part of the said building, with the consent of the defendants; yet the defendants, well knowing the premises, after the 1st October, 1844, to wit, on the 11th June, 1850, disregarded their duty in that behalf, and the statute in that case made and provided, in this, that the said shaft was not then securely fenced, contrary to the form of the statute &c.; whereby, and by reason of the premises, the wearing apparel wherewith the plaintiff was then clad was caught by and got entangled with the said shaft, and the plaintiff was greatly whirled and dragged about, and received great bodily injury; and one of the arms, to wit, the right arm of the plaintiff, was separated from her body, and one of the ankles, to wit, the left ankle of the plaintiff, became and was fractured and broken, and she was otherwise greatly bruised, wounded, and injured."

The question was, whether a violation of the duty imposed by the statute was sufficiently alleged to have taken place, turning on this—whether the defendants were bound to keep the machinery fenced while in motion for purposes collateral to the manufacturing process, or whether only while in motion actually effecting the *manufacturing process*; and it was held, that the latter was the true construction of the statute.

What the Legislature actually intended, no human being can doubt: it must have meant that the machinery should be kept fenced whenever it was in motion for any purpose while young factory children were liable to pass or be employed near it; for it meant that such children should be protected against the tearing off of their arms and legs by the whirling machinery with which a mill is filled; and if the act could, upon any equitable or liberal view of it, be construed to extend so far, it would have been a mercy to the Legislature so to have construed it, in order that the public may not come to the conclusion, that, no matter what the subject, the Legislature cannot express itself so as to do what it intended to do.

Now, though the construction of instruments ought to be the same in equity as at law, yet we cannot help thinking, that if this act had been construed by an equity lawyer, a more liberal view would have been taken of it. The argument seems to have turned upon whether the statute applies when the machinery is in motion for any other than a *manufacturing process*.

But, with deference, is not the question rather what the act meant by being *in motion for a manufacturing process*? That is, did the act mean by that, only being in motion while the specific manufacturing processes, or some of them, are actually going on, or did it mean being in motion for any purpose connected with the business of the mill while children are liable to be near? For example, when work is going to begin in a factory, the machinery is, we know, frequently, and we believe usually, set in motion, for a few turns of the fly-wheel of the steam-engine, before any work is actually presented to the manufacturing machines; so that the machinery is in motion in preparation for a manufacturing process, but is not actually effectuating it. At that time all the workpeople must be at their posts, and the children are obliged to be near those parts of the machinery that they are to watch. According to the decision in *Coe v. Platt*, this would not be motion for any manufacturing process; the word "for" being, in fact, construed as importing that the actual manufacturing must be going on.

Let us carry the case a little further. Many manufacturing machines in a factory are driven by means of a belt of leather passing round a smooth wheel fixed on an axis, which, being turned, moves the machine. By the side of the smooth wheel is another, which can turn loosely upon the same axis; so that if the belt, which receives its motion from the principal moving power, embraces the first wheel, the machine is set in motion; but if it embraces the second, that wheel runs rapidly round upon the axis without imparting any motion to the manufacturing machine. Now, any one who has ever seen a factory, or even the machinery room at the Great Exhibition, has seen the workman attending and working any particular machine—say a power-loom—shift the driving belt rapidly from the working wheel to the loose wheel, while he puts in order, or otherwise interferes with, some portion of the machine, or of the materials it is working up. When he does this, the process of actual manufacturing stops; but the belt keeps running round, and the loose wheel keeps revolving, with just the same speed and just the same danger as before, and the attendant children must be at their posts, and *liable to be near* the running belt. Can the Legislature have meant, that during that period the fencing of the belt and wheels might lawfully be removed?

It is impossible to suppose the Legislature intended so to nullify its protection. Surely, in support of the common sense of the statute, the words "in motion for any manufacturing process" might be construed to include any motion connected with the application of the machinery to the manufacturing process, as well as any motion actually carrying on the manufacturing process. The limit within which motion for a manufacturing process would be within the meaning of the act, may be gathered from the positive portions of the clauses, which direct the fencing to be to parts *near to which children or young persons are liable to pass or be employed*—shewing plainly that the broad intention of the statute is to protect the children; and it seems to us, that it would be a very rational construction of the statute to construe it as meaning that the fencing shall exist around the parts of machinery designated, while

in motion for every purpose connected with the business of the mill, while children and young persons are liable, in the exercise of their duty, to pass or be employed. This construction would meet the argument of the defendants' counsel, who urged, that the act could not have intended an absolute fencing during all the motion of the machinery, because, if it did, it might be impossible to move the machinery to examine it, or clean it, or the like; for machinery is not usually, or at any rate necessarily, cleaned, or examined with a view to repair, during the period of the regular working; but the work is stopped for the requisite period, so that during such period the children and young people would not be liable, in the exercise of their duty, to pass or be employed near to the machinery, and the danger intended to be prevented by the Legislature could not arise. But if the construction of the act is that put upon it in *Coe v. Platt*, then there are, beyond all doubt, frequent periods when the machinery of a mill is in motion at a time when the young factory children must, in the exercise of their duty, be near to it, and when, the machinery not being actually manufacturing, the fences may lawfully be removed, and the children's arms and legs may lawfully be broken.

OBSERVATIONS ON THE LAW OF EVIDENCE ACT.

THIS act, (see ante, p. 283), it is needless to say, introduces important changes; but, like other acts of Parliament, we fear it will be found to leave room for doubt on important points. Upon the 2nd, which is the fundamental section, a material doubt at once arises, viz. whether it intends that in civil cases the evidence of wife and husband shall be admissible for or against each other. The 3rd section expressly enacts, that nothing contained in the act shall, "in any criminal proceedings, render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband." By implication, therefore, it is to be concluded that the Legislature intended to make, and thought it had made, such evidence admissible in *civil* cases; but the wording of the 2nd clause not only does not clearly extend to making such evidence admissible, but seems to us to avoid the point altogether. All it does is to make admissible the evidence of parties to suits and actions, and of the persons on whose behalf such suits or actions may be brought or defended; and as to all other persons, it seems to leave the law, as to their capacity to be made witnesses, just as it was before. Suppose now an action brought by A. against B. for the price of goods sold, does this act enable A. to call his wife to prove the delivery? She is neither a party to the action, nor is it brought on her behalf; and those classes of persons seem the only ones enfranchised by the act. If a creditor's bill or claim were filed in Chancery by A. on behalf of himself and all other creditors, and his wife were a creditor in respect of separate estate, then, we suppose, she might be examined for or against the nominal plaintiff, because the bill would be on her behalf. But we conceive that, notwithstanding the 2nd

section, the Legislature has not in this act made the evidence of husband and wife admissible simply for or against each other, but only in cases where both are, in person or by representation, parties.

Neither does the act in terms touch the difficulty which has been found in Chancery suits, where, under the former act, 6 & 7 Vict. c. 85, the evidence of a defendant might be taken on behalf of a plaintiff. It has been held, in that state of things, that if a plaintiff examines a defendant, he waives relief against him; and if, therefore, he examines a defendant against whom he seeks substantial relief, not only can he have no decree against that defendant, but no decree against the other defendants, because he cannot split the relief, and pick out some of several, singly liable, to bear the whole liability, and discharge one or more of them. (*Champion v. Champion*, 15 Sim. 101; *Smith v. Smith*, 6 Hare, 524). The effect of these decisions is, of course, that a defendant, against whom substantial relief was prayed, could not in practice be examined for the plaintiff*, unless he would nevertheless submit to a decree.

Now, assuming these decisions under the old law to remain untouched, does the present act overrule them as to the future examination of a defendant? All that it does is to make a defendant competent and compellable to give evidence on behalf of the plaintiff; but so did the act of 6 & 7 Vict.; and the present act does not, any more than the former, lay down anything that appears intended to abrogate any collateral rule of practice of any Court; so that the rule of equity, that if you examine a defendant you must waive relief against him, and that you do so at the risk of waiving it against all the others, seems untouched. Until this point is decided, it will be very hazardous in equity for a plaintiff to examine a defendant.

There is one point in the act which we much regret to see, the more, that, in point of construction, it seems clear, viz. that the examinations are to be either *viva voce*, or by deposition according to the practice of the Court; so that, in Chancery, we conclude they must still be by deposition. It is much to be regretted that the Legislature did not take the opportunity, while so extensively dealing with the question of evidence, of trying the experiment of *viva voce* evidence in equity. The conclusions to which the Chancery Commissioners would come on the general question, might have been most materially assisted by the result of an experiment upon the *viva voce* evidence of parties.

The 2nd and 6th sections will, together, probably have the effect of abolishing cross bills and bills of discovery in Chancery; since, if a plaintiff can be examined, there will be little use in filing a cross bill; and since a Court of law may order the inspection of all documents, for discovery of which a bill might be filed, the greater part of the subject-matter of that equitable jurisdiction will be withdrawn. The remainder of the act applies to matters of detail, and does not require any special notice.

The Queen has been pleased to appoint Edward Lawes, Esq., Barrister-at-Law, to be Chairman of the Metropolitan Commissioners of Sewers.

* We believe this very point is now pending for decision in a cause before the Lord Chancellor.

London Gazettes.

TUESDAY, AUGUST 19.

BANKRUPTS.

- FREDERICK BAYNHAM, High-street, Hounslow, Middlesex, grocer and, cheesemonger, dealer and chapman, Aug. 28 at half-past 11, and Oct. 3 at 1, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Church & Son, 9, Bedford-row.—Petition filed Aug. 14.
- JOHN BARKER, Exmouth-st., and Pleasant-row, Clerkenwell, Middlesex, cheesemonger, dealer and chapman, Sept. 5 at 1, and Oct. 3 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Murray, 11, London-street, Fenchurch-street.—Petition filed Aug. 15.
- WILLIAM SMITH, Princes-street, Leicester-square, Middlesex, engineer, dealer and chapman, Sept. 2 at half-past 12, and Oct. 7 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Holmer, 26, Bridge-street, Southwark.—Petition filed Aug. 7.
- BENJAMIN LINDSEY, Market Deeping, Lincolnshire, draper, dealer and chapman, Aug. 29 and Sept. 26 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Motteram & Co., Birmingham; Jones, Sisleane, London.—Petition filed Aug. 2.
- ADOLPHUS KRAUSS, Manchester, sharebroker, agent, dealer and chapman, Sept. 2 and 23 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Bennet, Manchester.—Petition filed Aug. 14.

MEETINGS.

George Waugh, Sceugh, Edenhall, Cumberland, banker, Sept. 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, ex.—John Bavin, Wisbeach, Cambridgeshire, draper, Aug. 30 at 2, Court of Bankruptcy, London, aud. ac.—Edmund Nicholson, York, tailor, Sept. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—John Miller, Sheffield, Yorkshire, tinner, Aug. 30 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—Robert Parker, Nottingham, commission agent, Sept. 12 at 10, District Court of Bankruptcy, Nottingham, div.—Charles Thomas Spencer Devey, Woburn, Bedfordshire, auctioneer, Sept. 16 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

George Courthope, Paradise-row, Rotherhithe, Surrey, coal merchant, Sept. 13 at 11, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

William Huntley, Hart-street, Covent-garden, Middlesex, licensed victualler.—Charles Thos. Spencer Devey, Woburn, Bedfordshire, auctioneer.—George Frederick Jones, East Illey, Berkshire, surgeon.—Frederick Rodbard, Manor-house, Croydon, Surrey, schoolmaster.—Horatio Black, Nottingham, lace manufacturer.—John Jowett, Bull-bridge, Derbyshire, stone merchant.—Benjamin Thompson, Derby, woollendrapier.—William Henry Edwards, Leeds, Yorkshire, hosier.

PETITION ANNULLED.

Thomas Brown, Sunderland, Durham, shipowner.

SCOTCH SEQUESTERATIONS.

David Crichton, Edinburgh, carpenter.—John Gouk, Laurencekirk, vintner.—John Wilson, Dowhill, Kirkoswald, Ayrshire, farmer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Spencer, Huddersfield, Yorkshire, stonemason, Sept. 5 at 10, County Court of Yorkshire, at Huddersfield.—Chas. Godden, Boxford, Suffolk, butcher, Sept. 13 at 12, County Court of Suffolk, at Hadleigh.—Sarah Cook, widow, Chelmsford, Essex, wheelwright, Sept. 11 at 11, County Court of Essex, at Chelmsford.—Francis Lombardine, Torquay, Devonshire, jeweller, Oct. 4 at 11, County Court of Devonshire, at Newton Abbot.

Saturday, Aug. 16.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Bedford, Warley, near Halifax, Yorkshire, brewer, No. 73,629 C.; *Charles Whiteley*, assignee.—*Thos. Griffiths*, Wellington, Shropshire, tailor, No. 73,827 C.; *Charles Venables* and *Henry Pointon*, assignees.—*Robert Clay*, St. Mary's Mount, Newcastle-upon-Tyne, coal fitter, No. 73,865 C.; *Thomas Edward Charlton*, assignee.—*Jacob Dudden*, Aldgate, London, warehouseman, No. 61,892 T.; *John Parker*, assignee.—*Catherine Edmunds*, Upper Whitecross-street, Middlesex, egg dealer, No. 62,425 T.; *John Leftwich*, assignee.—*Richard Cooper*, Dulwich-common, Surrey, in no business, No. 19,409 T.; *Samuel Sturgis*, new assignee in the room of *William Henry Knott*, deceased.

Saturday, Aug. 16.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James English, King-st., Spitalfields, Bethnal-green, Middlesex, dealer in building materials: in the Debtors Prison for London and Middlesex.—*Richard Workman*, Catherine-st., Fimlico, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Edward H. Hodges*, Claremont-sq., Pentonville, Middlesex, out of employment: in the Debtors Prison for London and Middlesex.—*Jos. Brie*, Regent-street, Middlesex, foreman to a shirtmaker: in the Queen's Prison.—*James Chaplin*, Braughton-place, Hackney-road, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—*Benj. Smith*, Adam-street, Harper-street, New Kent-road, Surrey, cutler: in the Debtors Prison for London and Middlesex.—*John James Cronin*, Charles-street, Manchester-square, Middlesex, professor of music: in the Debtors Prison for London and Middlesex.—*Thomas Fuller*, Chatham-place, Windmill-lane, Camberwell, Surrey, warehouseman to a leather factor: in the Debtors Prison for London and Middlesex.—*Wm. Holmes*, Fish-street-hill, London, zinc-plate manufacturer: in the Debtors Prison for London and Middlesex.—*The Rev. J. G. Packer*, Parsonage-house of St. Peter's Church, Bethnal-green, Middlesex, clerk: in the Queen's Prison.—*Wm. Woods* the younger, Woolmer-cottages, the Grove, Hammersmith, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*John Race*, Margaret-terrace, Paddington-green, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*James Kerslake* the younger, Brunswick-st., Stamford-street, Blackfriars-road, Surrey, foreman at the Brunswick Saw-mills: in the Queen's Prison.—*James J. Hardey*, Trinity-square, Borough, Surrey, parliamentary agent: in the Queen's Prison.—*Wm. Job Liddington*, Upper Marylebone-street, Marylebone, Middlesex, pianoforte tuner: in the Debtors Prison for London and Middlesex.—*J. Nankivell*, St. Budeaux, near Plymouth, and Pyworthy, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*P. Higson*, Lancaster, plasterer: in the Gaol of Lancaster.—*John Lawrence*, Liverpool, farmer: in the Gaol of Lancaster.—*James Bamforth*, Ashton-under-Lyne, corn miller: in the Gaol of Lancaster.—*Henry Bestwick*, Manchester, collector of debts: in the Gaol of Lancaster.—*Samuel Johnson* the younger, Liverpool, auctioneer: in the Gaol of Lancaster.—*W. Mercer*, Everton, Liverpool, beer-house keeper: in the Gaol of Lancaster.—*G. C. Beckett*, Liverpool, passenger broker: in the Gaol of Lancaster.—*Wm. Jennings*, Manchester, builder: in the Gaol of Lancaster.—*James Rawlings*, Earith, near St. Ives, Huntingdonshire, lighterman: in the Gaol of Lancaster.—*John Lloyd Williams*, Cardiff, Glamorganshire, clerk in holy orders: in the Gaol of Cardiff.—*Thomas I. Cook*, Leicester, glover: in the Gaol of Leicester.—*Richard Brookes*, Swinton, near Manchester, provision-shop keeper: in the Gaol of Lancaster.—*Robert N. Forsyth*, Birmingham, licensed victualler: in the Gaol of Coventry.—*Edward Wm. Roper*, Plymouth, Devonshire, following no occupation: in the Gaol of St. Thomas the Apostle.—*John Dean*, Macclesfield, Cheshire, silkman: in the Gaol of Chester.—*Stephen Clark*, New Shoreham, Sussex, shipwright: in the Gaol of Lewes.—*Jos. Thesam*, Farndon, Cheshire, blacksmith: in the Gaol of Chester.—*John Wall*, Chatham, Kent, brewer: in the Gaol of Maidstone.—*Thomas Y. Wall*, Chatham, Kent, brewer: in the Gaol of Maidstone.—*Henry A. Doorne*, Ash, Kent, farm

labourer: in the Gaol of Maidstone.—*George Empson*, Mearnsingham, near Brigg, Lincolnshire, farming bailiff: in the Gaol of Lincoln.—*John Taylor*, Crowland, Lincolnshire, attorney-at-law: in the Gaol of Lincoln.—*William Gris*, Brighton, Sussex, schoolmaster: in the Gaol of Lewes.—*R. Hughes*, Vord, Abergel, Denbighshire, farmer: in the Gaol of Ruthin.—*John Booth*, Kirtton in Lindsey, Lincolnshire, bookkeeper to a brewer: in the Gaol of Lincoln.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Sept. 2.

Thomas Smith, Hayes-grove, Hayes, near Bromley, carpenter.—*Thomas Y. Wall*, Chatham, maltster.—*John Wall*, Chatham, maltster.

At the County Court of Staffordshire, at STAFFORD, Aug. 27 at 10.

Thomas Allen, Longton, Stoke-upon-Trent, trunk maker.

At the County Court of Warwickshire, at COVENTRY, Sept. 4 at 10.

Robert N. Forsyth, Birmingham, licensed victualler.

FRIDAY, AUGUST 22.

BANKRUPTS.

RALEY MIDDLEWOOD and ALLEN FOSTER, Leeds, Yorkshire, linendrapers and silk mercers, Sept. 4 at 1, and Oct. 10 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Parker, 18, St. Paul's-churchyard.—Petition dated Aug. 14.

WALTER PHESSÉ, Green Man, Covent-garden-market, Middlesex, licensed victualler, dealer and chapman, Sept. 4 at half-past 12, and Oct. 10 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Taylor & Collisson, 28, Great James-street, Bedford-row.—Petition dated Aug. 12.

WILLIAM BENNING, Fleet-st., London, law bookseller and publisher, dealer and chapman, (carrying on business with John Girtton Gilliat, and trading under the firm of William Benning & Co.), Sept. 4 and Oct. 10 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Milne, Temple.—Petition dated Aug. 20.

JOSEPH CRAWFORD, Primrose Tavern, Chalk Farm, Middlesex, tavern and beer-shop keeper, dealer and chapman, Aug. 30 at 12, and Oct. 4 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Wetherfield, 22, Gresham-st., London.—Petition dated Aug. 16.

EDWARD DICKINSON, Wolverhampton, Staffordshire, corn and provision merchant, dealer and chapman, (trading under the firm or style of Edward Dickinson & Co.), Sept. 2 and 30 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Hayes, Wolverhampton.—Petition dated Aug. 20.

HENRY WILLIAM DERRY, Wolverhampton, Staffordshire, builder, dealer and chapman, Sept. 2 and 30 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Hayes, Wolverhampton.—Petition dated Aug. 18.

JOHN DICKENSON, Walsall, Staffordshire, (trading with Henry Dickenson under the style or firm of Dickenson Brothers & Co.), Sept. 1 and 22 at 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Wilkinson, jun., Walsall.—Petition dated Aug. 21.

CHARLES VEASEY WILLS, Exeter, dealer in lamps and camphine, Sept. 4 and Oct. 2 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Head & Venn, Exeter.—Petition filed Aug. 16.

JOHN NICOL, Kingston-upon-Hull, broker and commission agent, Sept. 3 and Oct. 1 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Dodge, Liverpool; Shackles & Son, Hull.—Petition dated July 31; filed Aug. 1.

THOMAS HAILSTON, Wheelock, Cheshire, grocer, (and also carrying on business at Sandbach, Cheshire, with William Tomkinson, silk throwster, under the style or firm of Hailston & Tomkinson), Sept. 1 and Oct. 2 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sols. Skerratt & Remer, Sandbach; Yates, jun., Liverpool.—Petition filed Aug. 20.

JAMES WILDE, Salford, Lancashire, builder, dealer and chapman, Sept. 5 and 26 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Dearden, Manchester.—Petition filed Aug. 15.

WILLIAM HODGSON, Lancashire, watchmaker, silversmith, jeweller, and auctioneer, dealer and chapman, (and also carrying on business at Barnoldswick, West Riding of Yorkshire, as a brick and tile maker), Sept. 2 and 23 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Robinson, Lancaster.—Petition filed Aug. 11.

MEETINGS.

Wm. Brown, Brunswick-st., Stamford-st., Christchurch, Surrey, engineer, Sept. 19 at 1, Court of Bankruptcy, London, last ex.—*Wm. Lockyer*, Old-st., St. Luke's, and King-st., St. Giles-in-the-fields, Middlesex, baker, Sept. 18 at 12, Court of Bankruptcy, London, last ex.—*Samuel Joule and John Joule*, Macclesfield and Rainow, Cheshire, ribbon manufacturers and cotton spinners, Sept. 3 at 12, District Court of Bankruptcy, Manchester, last ex.—*John Bartlett*, Upper Thames-street, London, wine merchant, Sept. 26 at 2, Court of Bankruptcy, London, aud. ac.—*David Burberry*, Newdigate, Surrey, wood dealer and carrier, Sept. 20 at 1, Court of Bankruptcy, London, aud. ac.—*John H. Hunt*, Silver-street, London, warehouseman, Sept. 25 at 11, Court of Bankruptcy, London, aud. ac.—*W. Davies*, Walbrook, London, coal merchant, Sept. 25 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. H. Ayles*, Rickmansworth, Hertfordshire, builder, Sept. 20 at 11, Court of Bankruptcy, London, aud. ac.—*Alexander Woods*, Great Yarmouth, Norfolk, money scrivener, Sept. 26 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Page*, Great Yarmouth, Norfolk, grocer, Sept. 20 at 12, Court of Bankruptcy, London, aud. ac.—*John G. Cassaigne*, Salisbury-street, Strand, Middlesex, wine merchant, Sept. 20 at 11, Court of Bankruptcy, London, aud. ac.; Sept. 26 at 1, div.—*Charles F. Thomas*, Bristol, ship broker, Sept. 12 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Robert Parker*, Nottingham, commission agent, Sept. 12 at 10, District Court of Bankruptcy, Nottingham, aud. ac.—*Edward Harratt and John Bland*, Huntingdon and Godmanchester, Huntingdonshire, builders, Sept. 19 at 11, Court of Bankruptcy, London, div.—*John Nokes*, New Ormond-street, Middlesex, builder, Sept. 18 at 11, Court of Bankruptcy, London, div.—*James Matte*, Edgeware-road, Middlesex, ironmonger, Sept. 19 at 12, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Murray, Sheerness, Isle of Sheppy, Kent, builder, Sept. 13 at 11, Court of Bankruptcy, London.—*Owen Sparrow*, Aldgate High-street, Aldgate, London, grocer, Sept. 12 at 11, Court of Bankruptcy, London.—*Wm. Taylor*, Creek-road, Deptford, Kent, shipwright, Sept. 19 at 2, Court of Bankruptcy, London.—*Richard Edwards*, Sudbury, Suffolk, linendraper, Sept. 26 at half-past 11, Court of Bankruptcy, London.—*John Skane*, Studley-road, Clapham-road, Surrey, builder, Sept. 18 at 11, Court of Bankruptcy, London.—*E. Harratt and John Bland*, Huntingdon and Godmanchester, Huntingdonshire, builders, Sept. 19 at 11, Court of Bankruptcy, London.—*Samuel Manning*, Union-place, New-road, Middlesex, statuery, Sept. 18 at 2, Court of Bankruptcy, London.—*Geo. T. Minor*, Mount-street, Westminster-road, Lambeth, Surrey, linendraper, Sept. 18 at 1, Court of Bankruptcy, London.—*Richard S. Smith*, Southsea, Portsea, Southampton, ironmonger, Sept. 20 at 1, Court of Bankruptcy, London.—*Wm. Page*, Great Yarmouth, Norfolk, grocer, Sept. 20 at 12, Court of Bankruptcy, London.—*John G. Cassaigne*, Salisbury-street, Strand, Middlesex, wine merchant, Sept. 26 at 1, Court of Bankruptcy, London.—*James Matte*, Edgeware-road, Middlesex, ironmonger, Sept. 19 at 12, Court of Bankruptcy, London.—*Wm. Herbert*, Bristol, grocer, Sept. 24 at 11, District Court of Bankruptcy, Bristol.—*R. Croom*, Mangotsfields, Gloucestershire, butcher, Sept. 18 at 11, District Court of Bankruptcy, Bristol.—*Charles Bond*, Twerton, near Bath, Somersetshire, tanner, Sept. 16 at 11, District Court of Bankruptcy, Bristol.—*Wm. Glasier*, Bristol, grocer, Sept. 16 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

James Clark, Exeter, builder.—*James Hoyle and Thomas Hoyle*, Salford, Lancashire, cotton manufacturers.—*James*

Monkman, Oldham, Lancashire, cotton spinner.—*R. Michael*, Bury-street, St. Mary Axe, London, general merchant.—*R. Moate*, West Stockwith, Nottinghamshire, innkeeper.

PETITION ANNULLLED.

Richard Mayor, Bolton-le-Moors, Lancashire, grocer.

PARTNERSHIP DISSOLVED.

Edward Pain and John Hatherly, Great Marlborough-street, Middlesex, and Gresham-street, London, attorneys and solicitors.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Cock, Great Missenden, Buckinghamshire, tailor, Sept. 19 at 11, County Court of Buckinghamshire, at Chesham.—*Mary Deards*, Watton, Hertfordshire, saddler, Aug. 28 at 11, County Court of Hertfordshire, at Hertford.—*William Northcroft*, Chalfont St. Peter, Buckinghamshire, bricklayer, Sept. 19 at 11, County Court of Buckinghamshire, at Chesham.—*Susanna Pepall*, Oxford, laundress, Sept. 16 at 11, County Court of Oxfordshire, at Oxford.—*Alfred Spencer Tebbutt*, Leicester, shoe manufacturer, Sept. 17 at 10, County Court of Leicestershire, at Leicester.—*Thomas Hall*, Macclesfield, Cheshire, brewer, Sept. 4 at 10, County Court of Cheshire, at Macclesfield.—*Edward Checkland*, Leicester, innkeeper, Sept. 17 at 11, County Court of Leicestershire, at Leicester.—*Robert Frederick Witcomb*, Hereford, butcher, Sept. 11 at 10, County Court of Herefordshire, at Hereford.—*Wm. Chatfield*, Rastington, near Arundel, Sussex, wheelwright, Sept. 6 at 11, County Court of Sussex, at Arundel.—*Jane Pannett*, Brighton, Sussex, dressmaker, Aug. 29 at 12, County Court of Sussex, at Brighton.—*J. Morgan*, Brighton, Sussex, eating-house keeper, Aug. 29 at 12, County Court of Sussex, at Brighton.—*Job Williams*, Main Hilad, near Pontypool, Monmouthshire, butcher, Sept. 17 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Thomas Morgan*, Aberdare, Glamorganshire, pudler, Sept. 17 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Mary Ann Smith*, widow, Ormesby St. Michael, Norfolk, out of business, Sept. 18 at 10, County Court of Norfolk, at Great Yarmouth.—*Benjamin Taylor*, Great Yarmouth, Norfolk, out of business, Sept. 18 at 10, County Court of Norfolk, at Great Yarmouth.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Herefordshire, at HEREFORD, Sept. 11 at 10.

John Lloyd, Loominster, carpenter.

At the County Court of Devonshire, at EXETER, Sept. 6 at 10.

William Taverner, Moretonhampstead, farmer.—*John Nankivell*, St. Budeaux, near Plymouth, and Pyworthy, out of business.—*Edward William Roper*, Plymouth, following no occupation.

At the County Court of Yorkshire, at KINGSTON-UPON-HULL, Sept. 6.

John Spenceley, Kingston-upon-Hull, licensed victualler.

At the County Court of Denbighshire, at RUTHIN, Sept. 11 at 11.

Robert Hughes, Voryd, Abergele, farmer.

At the County Court of Merionethshire, at DOLGELLY, Sept. 13 at 11.

William Francis Macminn, Llanwchillyn, in no trade.

At the County Court of Leicestershire, at LEICESTER, Sept. 17.

John Wright, Great Oxendon, Northamptonshire, out of business.

At the County Court of Sussex, at LEWES, Sept. 9.

Stephen Clark, Ham, New Shoreham, shipwright.—*William Griz*, Brighton, schoolmaster.

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John Clark Summers, Strand, Middlesex, in no business, Lewis's, 25, Clement's-lane, London: 1d. in the pound, (in addition to two former dividends of 1s. 3d. and 9d.)

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LONDON, AUGUST 30, 1851.

A QUESTION arises not unfrequently in practice, in reference to executory trusts for the separate use of married women, on which we believe there is no direct decision. The question is, whether, when in a deed or a will giving property, with a direction to secure it for the life of a married woman for her separate use, but not in terms directing restraint on anticipation, the Court would require, in the settlement to be made, the insertion of a clause against anticipation.

Of course, in a trust executed, nothing but words actually restraining alienation will be sufficient. We do not mean that the word "anticipation," or "alienation," or any specific word, is absolutely necessary, but words very clearly shewing the intention, are: the intention will not be inferred from words capable of being otherwise understood. Thus, in a very strong case, (*Ross's Trust*, 15 Jur., part 1, p. 241), the language was, that the trustees should pay and apply the annual interest to the testator's widow "for her sole and separate use, independent of any husband she might thereafter marry, and of his control, debts, and engagements, and her receipts to be a sufficient discharge to the said trustees; and he directed that the said sum should remain during her life, and be, under the direction of the said trustees, made a duly administered provision for her, and the interest of it given to her, on her personal appearance and receipt, by any bankers in London or elsewhere the said trustees might appoint in London or elsewhere, as might suit the parties, by half-yearly instalments."

Now, the words, "that the said sum should remain and be made, under the direction of the trustees, a duly administered provision," certainly seemed to point at an inalienable provision; nevertheless it was held, that

the language, taken altogether, did not impose a restraint on anticipation.

Upon the question whether, in carrying into effect a trust executory for the separate use of a married woman, the Court of Chancery would insert a provision against alienation, we believe there is no direct authority. There is, indeed, a case of *Pitt v. Jackson*, (2 Bro. C. C. 56), in which a sum of money was directed by the testator to be laid out in the purchase of real estate, to be conveyed in trust for his daughter for her life, for her sole, separate, and peculiar use, remainder to trustees to preserve, remainder to all and every the child and children of his daughter, with remainders over. It was held that the daughter took an estate tail in the lands directed to be purchased, and it was directed that the lands should be settled upon her and the heirs of her body, she to have the rents to her separate use, but no restraint on anticipation was imposed.

The authority of this case is, perhaps, not very great—first, because the doctrine of restraint on anticipation was then in its infancy; and, secondly, because the point was not argued. However, we find that but a few years later, in *Pybus v. Smith*, (3 Bro. C. C. 340), the Lord Chancellor treats the doctrine of restraint upon alienation as part of the law of the Court, because in that case, the question being whether certain expressions in a limitation to the separate use of a married woman amounted to a restraint upon anticipation, the Lord Chancellor said, "if it was the intention of a parent to give a provision to a child in such a way that she cannot alienate it, he saw no objection to its being done; but such intention must be expressed in clear terms." From which it is to be collected, first, that restraint upon anticipation, though not then actually practised in settlements, was no novelty in the view of the Court; and, secondly, that the Court would require the

intention to be clearly expressed before it would impose it. And that the Court would require such an intention to be very clearly expressed in an executory trust by will, may be the more readily concluded, if we recollect that separate estate in a feme covert implies, unless it is expressly cut down, a power of disposition in the feme covert.

Probably there would be considerable difference where the executory trust is created by articles for a settlement before marriage, and where it is created by will; because, in carrying out articles for a settlement, the doctrine is to consider the wife and children as purchasers, and to protect their interests against the husband; upon which principle it is that the Court will construe a limitation, which, if executed, would give an estate tail to the wife, as a mere estate for life to her, with remainders to the children; while, if the trusts executory are created by a will, the claimants being mere volunteers, the Court will not make a settlement, but will let the apparent intention take effect. *Sweetapple v. Bindon*, (2 Vern. 536), *Loggatt v. Sewell*, (1 Eq. Ab. 395), and *Baile v. Coleman*, (1 P. Wms. 142), throw some light upon the question; but we believe, as we have already stated, that on the precise point, whether, in carrying into effect a trust executory in favour of a married woman for her separate use, not expressly or by unavoidable inference restraining anticipation, the Court will insert a clause against anticipation, there is no authority.

PRACTICE UNDER THE ORDERS OF 1850.

To what Cases the Orders apply.

It is difficult to say with precision, upon the authorities, in what cases the Court will support a proceeding by claim, and in what cases a bill is the proper course. In *Penny v. Penny* (15 Jur., part 1, p. 445) the claim was filed simply for payment of a legacy, and, if necessary, for general administration of the testator's personal estate; it was met by an affidavit, shewing that circumstances had taken place, as to which very special inquiries, not supported by any allegations in the claim, would have been requisite. The claim required amendment by adding parties, and the question was, whether, if such leave were given, the Court could give such directions as effectually to carry on the suit. The Vice-Chancellor said that the 13th Order evidently intended to leave a discretion in the Court, at the hearing of a claim, to grant or refuse relief, or direct inquiries, as the Court might or might not think that justice could be done ultimately. But on the ground that, in the principal case, there were no specific allegations in the claim, of the facts as to which inquiries would be requisite, it was held that the inquiries could not be properly directed, and the claim was dismissed, without prejudice to filing a bill. What the actual point decided by the learned judge was, is sufficiently intelligible. But the reasoning is not so clear; because what he says is this—that, as the foundation of a special inquiry, the Court will require a clear allegation, on the face of the claim, of the facts connected with the subject-matter of the inquiry. The inquiry was, therefore, refused, the suit being at a stage at which, of course, a general amendment, altering the case made by the claim, could not be permitted. But it is not easy to see why it should follow, that in such a case generally a bill should be filed instead of a claim; because a claim may make special allegations as well as a bill. In this case it may be thought, that if,

on the coming in of the defendant's affidavit, the plaintiff had moved specially for leave to amend generally, such leave would have been granted.

In a previous case (*Johns v. Mason*, 15 Jur., part 1, p. 390) the claim was to recover a sum of 180*l*. At the hearing, it appeared that the plaintiff rested his case on three points: the first he did not support by sufficient evidence; the second he did not sufficiently allege; on the third he failed wholly. He was, therefore, clearly not entitled to a decree; and the only question was, whether to dismiss the claim, or to direct such inquiries as would elicit the necessary evidence; and the Court took the course of dismissing the claim. The material point, however, as to the practice under the Orders of 1850, is that involved in the dictum thrown out by the learned judge, that to cases such as that before him, the Orders of 1850 were not intended to apply. There being nothing in the case itself, except some degree of complexity, requiring special allegations to be supported by distinct evidence, the only inference that can be drawn from the opinion expressed by the Court is, that a case at all complex cannot be worked out by claim.

This is also to be collected from *Jackson v. Grant*, (15 Jur., part 1, p. 72), where Lord Cranworth, V.C., stated his opinion to be, that where there is a conflict of affidavits, a bill, and not a claim, should be filed; but, on the other hand, in a case before Vice-Chancellor Knight Bruce, (*Smith v. Constant*, 15 Jur., part 1, p. 97), he appears to have thought otherwise.

Parties.

The 8th Order does not avoid the necessity of making the representatives of a deceased executor parties to a claim filed for the general administration of the estate. It was argued in the case referred to, that the words "in the first instance," contained in that Order, meant that one of several executors may be sued alone, leaving him to recover against his co-executor. But the Court said, that, without meaning to conclude the construction of those words, they might mean that the claimant should be at liberty to file his claim in the first instance against one of several, leaving it for the Court, at the hearing, to direct the others to be brought before it before making a decree. (*Penny v. Penny*, 15 Jur., part 1, p. 445).

In *Watson v. Young* (15 Jur., part 1, p. 162) it was held, that a claim may be supported by some of a class of residuary legatees against the executors, without making the others parties. So, a decree for administration of real and personal estate, by the executors and trustees of the estate, may be made without making the beneficial devisees parties, but they must be summoned before the Master. (*Leslie v. Smith*, Knight Bruce, V. C., August, 1851—MS.)

Staying Decree in a Claim Suit.

If a suit is commenced by claim, generally the plaintiff will not be prevented from taking, at the proper time for hearing the cause, such a decree as he is entitled to, merely because another suit has been instituted by bill, embracing not only the same matter, but additional matter, which could not be disposed of in the claim. This was decided in *Scott v. Lord Hastings*, (15 Jur., part 1, p. 572), by Sir G. Turner, V. C., principally, it would seem, on the ground that the Court has no security that the suit by bill will be continued, or, if continued, that great length of time may not elapse before the hearing, during which time injustice would be done to the plaintiff in the suit commenced by claim, by preventing him from having the benefit of a decree. In a subsequent case (*Hall v. Langley*, not reported—Lord Cranworth, V. C., 15th July, 1851) the circumstances in favour of staying the decree in the claim were stronger than in *Scott v. Lord Hastings*, but

the Court refused to do so. In that case a common claim had been filed by Hall against Langley for the administration of an estate of which they were joint executors, and of which Langley was residuary legatee. Before the claim came on to be heard, Langley filed a bill against Hall for administration, alleging breaches of trust, &c. The defendant put in his answer, denying the breaches of trust, but admitting the possession of a sum of money belonging to the estate, and setting out accounts, which, if correct, shewed that no further account was required between the parties. An order was made, on motion, in the suit of *Langley v. Hall*, for payment into court of the sum admitted to be in the hands of the defendant Hall, and for production of the documents. On the claim of *Hall v. Langley* coming on to be heard, it was argued for the defendant Langley, that no decree ought to be made till he had inspected the documents in the other cause, because, if the accounts therein given were accurate, there was nothing in dispute between the parties; but the Court said, that, throwing other considerations out of view, the plaintiff Hall had a right to the common account of debts, and on that ground, principally, refused to stay the decree.

(To be continued).

Statute.

CAP. LXXXIII.

An Act to improve the Administration of Justice in the Court of Chancery and in the Judicial Committee of the Privy Council. [7th August, 1851.]

- SECT. 1.** *Power to her Majesty to appoint two Persons to be Judges of the Court of Appeal in Chancery.*
- 2.** *Power to appoint Secretary, Usher, and Train-bearer for each Judge.*
- 3.** *Precedence of Judges of Court of Appeal.*
- 4.** *Judges of Court of Appeal to take the following Oath.*
- 5.** *Court of Appeal to have the Jurisdiction now exercised by the Lord Chancellor.*
- 6.** *Statutory Jurisdiction now exercised by the Lord Chancellor as a Judge in Chancery may be exercised by the Court of Appeal.*
- 7.** *Jurisdiction of the Vice-Chancellor in Bankruptcy transferred to the Court of Appeal.*
- 8.** *Common-law Judges may sit, on Request of Lord Chancellor.*
- 9.** *Decision of Majority to be binding: if Court equally divided, the Decree, &c. appealed from to be affirmed.*
- 10.** *Decrees, &c. of the said Court of Appeal may be appealed from to the House of Lords.*
- 11.** *One Judge appointed under this Act sitting with the Lord Chancellor, or both Judges sitting apart from him, to form the Court of Appeal. Lord Chancellor sitting alone to have co-ordinate Jurisdiction with the Court of Appeal.*
- 12.** *Lord Chancellor to regulate Sitzings and Business of the Court of Appeal.*
- 13.** *Saving of the ministerial and certain other Powers of the Lord Chancellor.*
- 14.** *One of the Judges of the Court of Appeal may sit for the Master of the Rolls or the Vice-Chancellor during his temporary Absence.*
- 15.** *Judges of Court of Appeal, if Privy Counsellors, to be of the Judicial Committee.*
- 16.** *No Matter to be heard, &c. by the Judicial Committee unless three Members are present, exclusive of the Lord President.*
- 17.** *Provision as to the Lord Chancellor's Salary.*
- 18.** *Salary of the Master of the Rolls reduced to 6000*l*.*
- 19.** *Salary of 6000*l*. to be paid to each of the Judges of the Court of Appeal appointed under this Act, out of the Interest and Dividends arising from the Suits Fund.*

- 20.** *Power to her Majesty to grant an Annuity to each of such Judges on his Resignation.*
- 21.** *Lord Chancellor empowered, if he think it necessary, to appoint an additional Registrar.*
- 22.** *Salary of such Registrar to be paid out of Suits Fund.*
- 23.** *Additional Salary to the eleventh Clerk to the Registrars.*
- 24.** *Interpretation of the Term "Lord Chancellor."*

Whereas it is expedient that further provision should be made for the administration of justice in the High Court of Chancery and in the Judicial Committee of the Privy Council: be it therefore enacted, &c. as follows:—

SECT. 1. It shall be lawful for her Majesty, from time to time, by letters-patent under the Great Seal of the United Kingdom, to appoint two persons, being or having been respectively barristers-at-law of fifteen years' standing, to be judges of the Court of Appeal in Chancery, and every judge so appointed shall hold his office during good behaviour: provided always, that it shall be lawful for her Majesty to remove any such judge from his office upon an address of both Houses of Parliament; and the Lord Chancellor, together with such two judges, for the time being appointed as aforesaid, shall form the Court of Appeal in Chancery.

2. It shall be lawful for her Majesty, in and by such letters-patent as aforesaid, or by any other letters-patent under the Great Seal of the United Kingdom, to direct that each of the judges to be appointed in pursuance of this act shall have a secretary, usher, and train-bearer, to be from time to time appointed and removed by such judge at his pleasure; and the secretaries, registrars, and other officers appointed to attend the Lord Chancellor shall attend the said Court of Appeal and the respective judges thereof as circumstances shall require and the Lord Chancellor shall direct.

3. The said judges shall be styled Lords Justices of the Court of Appeal in Chancery, and shall have rank and precedences next after the Lord Chief Baron of the Court of Exchequer, and as between themselves shall have rank and precedences according to the order and time of their appointment.

4. Every judge so appointed shall, previous to his executing any of the duties of his office, take the following oath, which the Lord Chancellor or the Master of the Rolls for the time being is hereby respectively authorised and required to administer:—

"I, —, do solemnly and sincerely promise and swear, that I will duly and faithfully, and to the best of my skill and power, execute the office of Lord Justice of the Court of Appeal in Chancery. "So help me God."

5. From and after the 1st day of October, 1851, all the jurisdiction of the High Court of Chancery in England which is now possessed and exercised by the Lord Chancellor in the said Court of Chancery, and all powers, authorities, and duties, as well ministerial as judicial, incident to such jurisdiction, now exercised and performed by the Lord Chancellor, shall and may be had, exercised, and performed by the said Court of Appeal.

6. Where under any act of Parliament any jurisdiction is vested in the Lord Chancellor, or any power, authority, or duty is to be exercised or performed by the Lord Chancellor, and under the directions of any act or by the usage in this behalf such power, authority, or duty is or ought to be exercised or performed by the Lord Chancellor acting judicially in the said Court of Chancery, all such jurisdiction, power, authority, and duty, and the ministerial powers and authorities incident thereto or consequent thereupon, which are now exercised and performed by the Lord Chancellor, shall from and after the said 1st day of October, 1851, be had, exercised, and performed by the said Court of Appeal.

7. From and after the 1st day of October, 1851, all the powers, authorities, and jurisdiction, original and appellate, given and granted to the Vice-Chancellors of the said Court of Chancery, or any of them, under the Bankrupt Law Consolidation Act made and passed in 1849, or otherwise had, possessed, or exercised by the said Vice-Chancellors, or any of them, in matters of bankruptcy, shall be granted to, vested in, exercised and possessed by the said Court of Appeal; and all the provisions of the said act in relation to such appeals to such Vice-Chancellor shall be construed accordingly: provided always, that there shall not be any appeal from the decision of

the said Court of Appeal to the Lord Chancellor, anything in the said Bankrupt Law Consolidation Act to the contrary notwithstanding.

8. It shall be lawful to the said Court of Appeal and the Master of the Rolls, and the Vice-Chancellors, and for each of the said jurisdictions, to sit, with the assistance of any judge of either of her Majesty's courts of common law at Westminster, upon the request of the Lord Chancellor, if any such common-law judge shall find it convenient to attend upon such request.

9. The decision of the majority of the judges of the Court of Appeal shall be taken and deemed to be the decision of the said Court; and if the judges of the court be equally divided in opinion on any cause or matter brought before the Court by way of appeal, the decree or order appealed from shall be taken and deemed to be affirmed by the Court of Appeal.

10. All decisions, decrees, or orders of the Court of Appeal, including decisions in matters of bankruptcy, shall be subject to appeal to the House of Lords in the cases and under the conditions in and under which the like decisions, decrees, or orders of the Lord Chancellor would have been subject to such appeal if this act had not been passed; but the appeal to the House of Lords in matters of bankruptcy shall be only on matters of law or equity, or on the rejection or admission of evidence, and on a special case, to be approved and certified by one of the judges of the Court of Appeal hereby constituted, whose determination on the settlement of such case shall be final and conclusive.

11. All the jurisdiction, powers, and authorities of the said Court of Appeal may be exercised either by one only of the judges for the time being appointed under this act and the Lord Chancellor sitting together as such Court of Appeal, or by both of the judges so appointed sitting as such Court apart from the Lord Chancellor, either in his absence from the said Court of Chancery, or during the same time as he is sitting in such court: provided always, that the Lord Chancellor shall and may also, while sitting alone or apart from such two judges, have and exercise the like jurisdiction, powers, and authorities, as well as all such other jurisdiction, powers, and authorities as might have been exercised by the Lord Chancellor if this act had not been passed.

12. The Lord Chancellor shall fix the times at which the two judges of the said Court of Appeal appointed under this act, or either of them, shall sit with the Lord Chancellor, and at which such two judges shall sit apart from him as such Court of Appeal, and also what appeals and matters now usually heard and determined by the Lord Chancellor, and hereby made subject to the jurisdiction of the said Court of Appeal, shall be heard and determined by such Court when the Lord Chancellor is sitting with the said judges to be appointed under this act, or one of them, and by such judges when sitting apart from such Lord Chancellor, and by such Lord Chancellor when sitting alone, respectively, and generally may make such regulations as to him may seem proper for dividing and regulating the business of the said Court of Appeal, and for the attendance of a registrar of the said Court of Chancery at the sittings of the said Court of Appeal.

13. Nothing herein contained shall affect any of the powers, duties, or authorities attached to the office of Lord Chancellor, or exercised by the Lord Chancellor as Keeper of the Great Seal, except the powers, authorities, and duties which are exercised and performed by him acting as a judge in the said Court of Chancery, either by virtue of his ordinary jurisdiction or of any statute, and the ministerial powers and authorities incident thereto respectively, or affect the powers, authorities, and duties of the Lord Chancellor, under and by virtue of any appointment under the sign-manual of the Crown, as having the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, or in relation to letters-patent, grants, or writings passed or to be passed under the Great Seal of the United Kingdom, or the revocation of such letters-patent, grants, or writings, or the powers and authorities of the Lord Chancellor in right or on behalf of her Majesty as visitor of any charity or other foundation, or the powers of the Lord Chancellor of appointment to or removal from or otherwise in relation to offices in the Court of Chancery, or other offices, save as herein specially provided, or the powers of the Lord Chancellor to direct and regulate the sittings and duties of the Vice-Chancellors, or any powers of the

Lord Chancellor (whether to be exercised by the Lord Chancellor alone, or with the concurrence or advice or consent of the Master of the Rolls, or of the Master of the Rolls and the Vice-Chancellors, or otherwise) to make rules or orders for regulating the practice, proceedings, and business of the Court of Chancery, or the business or duties of any of the offices or officers of such court; and in all cases where the concurrence, advice, or consent of the Master of the Rolls and of one of the Vice-Chancellors, or of either of them, shall be requisite for the making of such rules or orders, the concurrence, advice, or consent of one of the judges appointed by virtue of this act may be substituted for that of the Master of the Rolls or of such Vice-Chancellor.

14. In case the Master of the Rolls or any Vice-Chancellor of the High Court of Chancery shall be prevented, by illness or otherwise, from sitting at any time when, according to ordinary course, his court would be open, the Lord Chancellor may, by writing under his hand, from time to time, so often as occasion may require, authorise one of the judges of the said Court of Appeal to sit for the hearing and determining of causes and matters in lieu of the Master of the Rolls or such Vice-Chancellor, and the judge sitting under such authority as aforesaid may, for the purpose of disposing of any cause or matter which has been partly heard by him, continue such his sittings, notwithstanding the Master of the Rolls or Vice-Chancellor in whose stead he has partly heard such cause or matter may also be sitting for the hearing of other causes or matters; and all decrees and orders made by such judge in pursuance of such authority shall be of the same effect and validity, and subject to revision and appeal, in the same manner in all respects as if made by the Master of the Rolls or Vice-Chancellor, as the case may be: provided always, that such judge shall not sit as a judge of the said Court of Appeal upon any appeal from any decree or order made by himself.

15. Every person holding or who has held the office of a judge of the Court of Appeal in Chancery shall, if a member of her Majesty's Privy Council, be a member of the Judicial Committee of the Privy Council.

16. So much of the act of the session holden in the 3 & 4 Will. 4, c. 41, as provides that no matter shall be heard, nor shall any order, report, or recommendation be made, by the Judicial Committee of the Privy Council, in pursuance of that act, unless in the presence of at least four members of the said Committee, shall be repealed; and no matter shall be heard, nor shall any order, report, or recommendation be made, by the said Judicial Committee, in pursuance of the said act or any other act, unless in the presence of at least three members of the said Committee, exclusive of the Lord President of her Majesty's Privy Council for the time being.

17. From and after the 11th day of October, 1851, the salary of the Lord Chancellor shall be the net yearly sum of 10,000*l.*; and there shall be deducted from the yearly sum payable to the Lord Chancellor under the act of the session holden in the 2 & 3 Will. 4, c. 122, the amount of any salary or sum which for the time being may be payable to the Lord Chancellor as Speaker of the House of Lords, so that such yearly sum only shall be paid by the Governor and Company of the Bank of England to the Lord Chancellor, under and according to the provisions of the said act, as with the salary or sum certified (as hereinafter mentioned) to be payable to the Lord Chancellor as such Speaker shall be sufficient to make up the net yearly sum of 10,000*l.*; and the clerk assistant of the Parliaments shall on or before the 11th day of October, 1851, and from time to time, so often as the salary or sum payable to the Lord Chancellor as such Speaker is altered, certify in writing under the hand of such clerk assistant, to the said Governor and Company, the amount of the salary or sum for the time being payable to the Lord Chancellor as such Speaker.

18. From and after the 11th day of October, 1851, in lieu of the salary payable to the Master of the Rolls under the act of the session holden in the 7 Will. 4 & 1 Vict. c. 46, there shall be paid, for the salary of the Master of the Rolls for the time being, out of the fund, on the days and according to the provisions mentioned and contained in the said act, the annual sum of 6000*l.*, free and clear from all taxes and deductions.

19. Out of the interest and dividends that have arisen or may hereafter arise from the Government or Parliamentary

securities now or hereafter to be placed in the name of the Accountant-General of the Court of Chancery to the two accounts, intitled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and further Security of the Suitors of the High Court of Chancery," or either of them, there shall be paid (but subject and without prejudice to the payment of all salaries or sums of money by any former act or acts now in force directed or authorised to be paid thereout) by the Governor and Company of the Bank of England, by virtue of any order or orders of the Lord Chancellor to be made from time to time for that purpose, without any draft from the Accountant-General, the net yearly salary of 6000*l.* to each of the judges of the said Court of Appeal for the time being appointed under this act, the net yearly salary of 400*l.* to his secretary, the net yearly salary of 250*l.* to his usher, the net yearly salary of 100*l.* to his train-bearer, and also a sum of 40*l.* per annum to each of the persons appointed or to be appointed under the act of the session holden in the 50 Geo. 3, c. 164, and under the act of the session holden in the 5 Vict. c. 5, to keep order in the courts therein mentioned, and in addition to the salary of 40*l.* thereby provided; all such payments to be made respectively on the days and according to the provisions as to proportionate parts thereof respectively and otherwise mentioned and contained in the said last-mentioned act in relation to the salaries of the Vice-Chancellors and officers appointed under such act.

20. It shall be lawful for her Majesty, by letters-patent under the Great Seal of the United Kingdom, to grant to any person appointed to and executing the office of a judge of the said Court of Appeal in pursuance of this act, an annuity not exceeding 3750*l.*, to commence and take effect immediately after the period when the person to whom such annuity is granted resigns his office, and to continue from thenceforth during the natural life of such person; and such annuity shall be issued and payable out of and charged upon the Consolidated Fund of the United Kingdom, after paying or reserving sufficient to pay all such sums of money as by any acts of Parliament now in force have been directed to be paid thereout, but with precedence to all other payments which shall hereafter be charged thereupon; and such annuity shall be paid on the days and according to the provisions mentioned and contained in the said act of the fifth year of her Majesty, in relation to the annuities granted on resignation of office to the Vice-Chancellors appointed under that act: provided always, that it shall be lawful for her Majesty to limit the duration of such annuity or any part thereof to such periods of time during the natural life of such person as he shall not exercise any office of profit under her Majesty, so that such annuity, together with the profits of such office, shall together not exceed the said sum of 3750*l.*: provided also, that no annuity granted to any person having executed the said office of a judge of the said Court of Appeal shall be valid unless such person have held such office for the period of fifteen years, or have held such office, and any of the offices of Master of the Rolls, Vice-Chancellor, or judge of one of her Majesty's superior courts of common law at Westminster, for periods amounting together to fifteen years, or be affected with some permanent infirmity disabling him from the due execution of his office, which shall be distinctly recited in the said grant.

21. It shall be lawful for the Lord Chancellor (in case it shall hereafter appear to be necessary) by writing under his hand to appoint one additional registrar of the Court of Chancery, and from time to time to fill up any vacancy in the said office; and the person to be appointed such additional registrar shall be the senior of the clerks to the registrars of the said court for the time being, to whom no sufficient objection to the satisfaction of the Lord Chancellor shall be made; and such additional registrar shall rank next after the junior of the registrars for the time being appointed under the act of the 5 Vict. c. 5, and shall personally do and perform all the duties and have and enjoy all the rights and privileges belonging to the office of registrar, and shall be subject to the several provisions and penalties contained in the said act relating to the registrars of the said court, and be entitled, in case of permanent infirmity or after continuance in office for forty years, to the like annuity as if he had been appointed registrar in and by the said act: provided always, that the acceptance of the office of additional

registrar by such senior clerk for the time being shall be without prejudice to all his rights of succession to the office of registrar under the said act.

22. Out of the fund placed to the credit of the Accountant-General of the said court, intitled "The Suitors Fee Fund Account," or the other funds charged with and made liable for the payment of the salaries of the present registrars, there shall be paid to such additional registrar from the date of his appointment the salary or net yearly sum of 1250*l.*, and also, so long as he shall be liable for the expenses of writing and copying the decrees and orders, and the minutes of the decrees and orders of the said court, the yearly sum of 100*l.*, on the days and in the manner provided by the said act of the 5 Vict. c. 5, with respect to the payment of the salaries of the present registrars.

23. In the event of the appointment of such additional registrar there shall be paid to the eleventh clerk to the registrars for the time being, from the date of such appointment, out of the said fund, intitled "The Suitors Fee Fund," or such other funds as aforesaid, the same salary or yearly sum, and on the same days and in the same manner as by the said act of the 5 Vict. c. 5, is appointed and directed to be paid to the seventh, eighth, ninth, and tenth clerks to the registrars.

24. In the construction of this act, unless such meaning be repugnant to or inconsistent with the context, the expression "Lord Chancellor" shall mean and include the Lord High Chancellor of Great Britain, and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom, for the time being.

London Gazette.

TUESDAY, AUGUST 26.

BANKRUPTCY.

WILLIAM WOODS, Gresham Rooms, Basinghall-street, London, warehouseman, dealer and chapman, (trading under the style or firm of William Woods & Co.), Sept. 3 at 12, and Oct. 8 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Sawbridge, 126, Wood-street, Cheapside.—Petition filed Aug. 19.

THOMAS WALLIS the younger and **SWAN WALLIS**, Leeds, Yorkshire, linendrapers, dealers and chapmen, Sept. 5 at half-past 11, and Oct. 9 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Jones, 15, Sise-lane, Bucklersbury.—Petition dated Aug. 15.

CHARLES CHRISTOPHER CUSACK GEARY, Colchester, Essex, cheesemonger and grocer, dealer and chapman, Sept. 5 at half-past 12, and Oct. 9 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Langham & Langham, 10, Bartlett's-buildings, Holborn.—Petition dated Aug. 13.

JOSEPH EMMETT NORTON, Crescent, Asylum-road, Old Kent-road, Surrey, wine merchant, dealer and chapman, Sept. 5 at 2, and Oct. 9 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Co., 14, Old Jewry-chambers.—Petition dated Aug. 23.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Allmand, Wrexham, Denbighshire, haberdasher, Sept. 18 at 11, District Court of Bankruptcy, Liverpool.—*William Chipson*, Chester, builder, Sept. 18 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Edw. Emmerton, Wavendon, Buckinghamshire, innkeeper.—*Henry Scale*, Briton Ferry Iron-works, near Neath, Glamorganshire, iron manufacturer.—*Thomas Pearson*, Plympton St. Mary, Devonshire, merchant.—*Samuel W. Isherwood*, Kingston-upon-Hull, woollendrapery.—*John Jackson*, Scarborough, Yorkshire, silversmith.

PARTNERSHIP DISSOLVED.

Wm. Lewton Clarke and *Charles Stewart Clarke*, Bristol, attorneys-at-law and solicitors.

SCOTCH SEQUESTRATIONS.

Urquhart, M' Gillivray, & Co., Paisley, merchants.—*Patrick*

Rose, Dingwall, writer.—Charles Huntingdon Boyle, Musselburgh, dealer in shares.—Charles Fraser, Peebles, hotel keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Edward Thorne, Marlock, Somersetshire, organist, Sept. 11 at 10, County Court of Somersetshire, at Yeovil.—John Harries, Tynewydd, otherwise Newhouse, Fishguard, Pembrokehire, farmer, Sept. 12 at 10, County Court of Pembrokehire, at Haverfordwest.—Thomas Paddock, Longdon-upon-Tern, Shropshire, miller's foreman, Sept. 12 at 10, County Court of Shropshire, at Wellington.—Geo. Sutton, Shifnal, Shropshire, druggist, Sept. 13 at 10, County Court of Shropshire, at Madeley.—John Masters, Ilchester, Somersetshire, blacksmith, Sept. 11 at 10, County Court of Somersetshire, at Yeovil.—John Gook, New Alresford, Southampton, cooper, Aug. 30 at 10, County Court of Hampshire, at Winchester.—Harry Lake Dillon, Barnwood, Gloucestershire, clerk in the Gloucester and Tamworth Railway Post-office, Sept. 25 at 10, County Court of Gloucestershire, at Gloucester.—Charles Clark, Bristol, bookseller, Oct. 1 at 11, County Court of Gloucestershire, at Bristol.—Chas. Paul Osley, Bristol, clerk to a cabinet maker, Oct. 1 at 11, County Court of Gloucestershire, at Bristol.—Michael O'Hara Nash, Bristol, retailer of beer, Sept. 17 at 11, County Court of Gloucestershire, at Bristol.

Saturday, Aug. 23.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

John Richards, George-yard, Lombard-st., London, metal broker, No. 53,448 T.; Wm. Swann, assignee.—Jas. Simpson, Pollard's-row, Bethnal-green-road, Middlesex, commission agent, No. 62,384 T.; John Crosthwaite Robinson, assignee.—Jos. Howe, Salford, Lancashire, provision dealer, No. 72,398 C.; John Turlay, assignee.—William Beavington the younger, Ashby-de-la-Zouch, Leicestershire, chemist, No. 73,351 C.; John Mynors Bulstrode, John Parsons, and Henry Blundell, assignees.—Geo. Sutcliffe, Sowerby Bridge, near Halifax, Yorkshire, attorney-at-law, No. 73,890 C.; William Lancaster, assignee.—Joseph Richardson, Middlesbrough, Yorkshire, printer, No. 73,918 C.; Samuel Phillips, assignee.—Joseph Broadbent, Sowerby Bridge, near Halifax, Yorkshire, beerseller, No. 73,968 C.; Henry Earnshaw and Jose Luis Fernandez, assignees.—Edward Wm. Hay, Kingsbury-green, Middlesex, clerk in the War-office, No. 9632 T.; Samuel Sturgis, new assignee, John Crowther and Wm. Buck, deceased.—Henry Parry, Moor-place, Hadham, Hertfordshire, gentleman, No. 5500 T.; Samuel Sturgis, new assignee, in room of John Moore, deceased.

Saturday, Aug. 23.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

R. M. Lamford, Chalcraft-terrace, New-cut, Lambeth, Surrey, ironmonger: in the Gaol of Horsemonger-lane.—Jas. Freed, Richmond-road, Westbourne-grove, Bayswater, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—James C. Herard, Bell-yard, Carey-street, Lincoln's-inn-fields, Middlesex, law stationer: in the Debtors Prison for London and Middlesex.—Edw. Cble, White Hart-court, Castle-street, Leicester-square, Middlesex, portmanteau maker: in the Debtors Prison for London and Middlesex.—Thomas W. Richardson, Little Charlotte-street, Blackfriars-road, Surrey, tailor: in the Queen's Prison.—Charles Bruce, Castle Mill, near Dorking, Surrey, brewer: in the Queen's Prison.—Charles Lipscomb, Chitty's-row, Leatherhead, Surrey, labourer: in the Gaol of Horsemonger-lane.—Samuel Stables, Wellington-st., Victoria-park, Bethnal-green, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—G. Parkinson, Wapping-wall, Shadwell, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—D. Rogers, Bethnal-green-road, Middlesex, lath render: in the Debtors Prison for London and Middlesex.—E. Kilt, Oak-cottages, Bridge-road, Hammersmith, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.

—F. Stuart, Shawfield-street, King's-road, Chelsea, Middlesex, clerk to a plate glass company: in the Queen's Prison.

(On Creditor's Petition).

Wm. F. Walker, Gray's-inn-square, Gray's-inn, Middlesex, attorney-at-law: in the Queen's Prison.

(On their own Petitions).

A. Perfit, Newbury, Berkshire, coach builder: in the Gaol of Reading.—John Plail, Romford, Essex, brewer's servant: in the Gaol of Springfield.—Wm. Scott, Bromsgrove, Worcestershire, supervisor of excise: in the Gaol of Worcester.—Wm. Ellis, St. Helen's-square, Yorkshire, law stationer: in the Gaol of York.—Thos. Emmerton, Aspley Guise, Bedfordshire, ropemaker: in the Gaol of Bedford.—Jos. Bairton, Bradford, Yorkshire, bobbin turner: in the Gaol of York.—Joseph Pawson, Leeds, Yorkshire, publican: in the Gaol of York.—John Hadfield, Manchester, grocer: in the Gaol of Lancaster.—Jas. P. Whicker, Portisham, Dorsetshire, dealer in tea: in the Gaol of Dorchester.—Chas. Whitford, Cheltenham, Gloucestershire, hatter: in the Gaol of Gloucester.—T. Warne, Bushey, Hertfordshire, music teacher: in the Gaol of Hertford.—E. Randles, Ifton St. Martin's, Shropshire, farm labourer: in the Gaol of Shrewsbury.—J. Randles, Ifton St. Martin's, Shropshire, wheelwright: in the Gaol of Shrewsbury.—Wm. Mansfield King, Dorking, Surrey, clerk in the General Post-office: in the Gaol of Aylesbury.—George Freeman, Cambridge, brazier: in the Gaol of Cambridge.—Samuel Crowther, Great Grimsby, Lincolnshire, mariner: in the Gaol of Lincoln.—William Dis, Hallgate, Wigan, Lancashire, chainmaker: in the Gaol of Lancaster.—James Bedale, Manchester, baker: in the Gaol of Lancaster.—Isaac Whittle, Openshaw, near Manchester, currier: in the Gaol of Lancaster.—William Blackow, Salford, Lancashire, porter: in the Gaol of Lancaster.—Thomas Hall Hunt, Liverpool, licensed victualler: in the Gaol of Lancaster.—Henry Jepsen, Midway, Rusholme, Manchester, ropemaker: in the Gaol of Lancaster.—Josiah Wedgwood, Orston, near Liverpool, soda-water manufacturer: in the Gaol of Lancaster.—John Ward, Manchester, commission agent: in the Gaol of Lancaster.—Daniel Clough, West-hill, Oldham, Lancashire, bobbin maker: in the Gaol of Lancaster.—Samuel Grindrod, Mumps, Oldham, Lancashire, cotton manufacturer: in the Gaol of Lancaster.—Daniel Steele, Chesterton, Cambridgeshire, bricklayer: in the Gaol of Cambridge.—Ann Worton, Claines, Worcestershire, dressmaker: in the Gaol of Worcester.—John Hampton, Birmingham, labourer: in the Gaol of Coventry.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Essex, at CHELMSFORD, Sept. 11 at 12.

John Plail, Romford, out of employment.

At the County Court of Dorsetshire, at DORCHESTER, Sept. 16 at 11.

James Prowse Whicker, Portisham, dealer in tea.

MEETINGS.

John Henry Nainby, Regent-street, Lambeth, Surrey, gentleman, Sept. 8 at 12, Court-house, Portugal-street, Lincoln's-inn-fields, London, pr. d.

FRIDAY, AUGUST 29.

BANKRUPTS.

OWEN BOWEN and ALEXANDER GIBSON, Ravensbury Print-works, Lower Mitcham, Surrey, calico printers, traders, dealers and chapmen, (Owen Bowen also residing at Newington-terrace, Newington, Surrey, and Alexander Gibson residing at Cloudeley-street, Islington, Middlesex), Sept. 13 at 12, and Oct. 11 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Linklater & Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Aug. 23.

THOMAS WAKEFIELD, Cadogan-place, and Halkin-terrace, St. Luke's, Chelsea, Middlesex, silk mercer, milliner, dealer and chapman, Sept. 6 at half-past 1, and Oct. 11 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. James, 4, St. Thomas-street, Southwark.—Petition dated Aug. 28.

JAMES GRAHAM, Noble-street, London, warehouseman, trader, dealer and chapman, Sept. 6 at 1, and Oct. 11 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Linklater & Linklater, 1, Charlotte-row, Mansion-house, London.—Petition dated Aug. 28.

JAMES SAMUEL TURNER, Woolwich, Kent, surgeon and apothecary, dealer and chapman, Sept. 5 at 11, and Oct. 9 at 2, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Carttar, 7, Thornton-row, Greenwich.—Petition dated Aug. 28.

ARTHUR ROBERT FRY, Mile-end-road, Middlesex, chemist, Sept. 4 at half-past 1, and Oct. 10 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Jones & Bettelley, 10, Brunswick-square.—Petition dated Aug. 13.

HENRY PHILLIPS, Milton-street, and Wood-street, Cheapside, London, whalebone manufacturer, dealer and chapman, Sept. 5 at 12, and Oct. 9 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Sawbridge, 126, Wood-street, Cheapside.—Petition dated April 19.

CHARLES BAYLIFFE, Chippenham, Wiltshire, surgeon and apothecary, Sept. 11 and Oct. 7 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Goldney & Fellows, Chippenham.—Petition filed Aug. 20.

JOHN THOMAS, Shrewsbury, Shropshire, grocer, Sept. 9 and 30 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated Aug. 25.

MEETINGS.

The Fort Marine Insurance Company, Bishopsgate-street Within, London, underwriters, Sept. 10 at 12, Court of Bankruptcy, London, sud. ac.—*J. Smith*, Bacup and Manchester, Lancashire, calico printer, Sept. 9 at 12, District Court of Bankruptcy, Manchester, sud. ac.—*William Arley*, North Burton, Yorkshire, miller, Sept. 10 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, sud. ac.—*Thos. Wileman*, Earl Shilton, Leicestershire, hosiery, Sept. 23 at half-past 11, District Court of Bankruptcy, Birmingham, sud. ac.—*Robert Orgill*, Netherseal, near Ashby-de-la-Zouch, Leicestershire, wheelwright, Sept. 12 at 10, District Court of Bankruptcy, Nottingham, sud. ac.—*William Rees and Ben Roberts*, Liverpool, joiners, Sept. 9 at 11, District Court of Bankruptcy, Liverpool, sud. ac.—*Michael McDonnell*, Liverpool, licensed victualler, Sept. 9 at 11, District Court of Bankruptcy, Liverpool, sud. ac.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Richard Brown, Old Broad-street, London, auctioneer, Sept. 20 at 11, Court of Bankruptcy, London.—*T. Barber*, Cambridge, schoolmaster, Sept. 20 at half-past 1, Court of Bankruptcy, London.—*Wm. Ayres*, Cardiff, Glamorganshire, grocer, Sept. 23 at 11, District Court of Bankruptcy, Bristol.—*Gennis L. Owens*, Enniscaorthy, Wexford, Ireland, woollen-draper, trading at Manchester, Sept. 24 at 12, District Court of Bankruptcy, Manchester.—*Charles Collins and George T. Rose*, Bewdley and Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturers, Sept. 30 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Frederick E. D. Hast, Aldermanbury, London, merchant.—*Thomas Richards*, Folkestone, Kent, brewer.—*Thomas S. Davison*, Tynemouth, Northumberland, banker.—*L. Elliott* the younger, Rochdale, Lancashire, chemist.—*Joseph Price and John Lavender*, Birmingham, paper dealers.—*James T. Bell*, Northwich, Cheshire, bookseller.

PARTNERSHIPS DISSOLVED.

John Hayward and Charles Colyer, Dartford, Kent, attorneys and solicitors.—*J. Hughes Preston and W. J. Browne*, Newcastle-upon-Tyne, attorneys and solicitors.—*Wm. Clough and Thomas W. Clough*, Pontefract and Huddersfield, Yorkshire, attorneys and solicitors, (under the style or firm of William and Thomas William Clough).

SCOTCH SEQUESTRATION.

Robert Mochrie, Airdrie, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

W. Plowman, Oxford, fishmonger, Sept. 16 at 11, County Court of Oxfordshire, at Oxford.—*Joseph Storr*, Fillingham, near Spittal, Lincolnshire, collector of her Majesty's taxes, Sept. 22 at 10, County Court of Lincolnshire, at Gainsborough.—*Henry Crewe*, Ledbury, Herefordshire, watchmaker, Sept. 27 at 9, County Court of Herefordshire, at Ledbury.—*Thomas Slater*, Liverpool, surgeon, Sept. 1 at 9, County Court of Lancashire, at Liverpool.—*John White*, Liverpool, draper's assistant, Sept. 1 at 9, County Court of Lancashire, at Liverpool.—*G. A. Douglas*, Liverpool, bookkeeper, Sept. 1 at 9, County Court of Lancashire, at Liverpool.—*John McGrath*, Liverpool, provision dealer, Sept. 1 at 9, County Court of Lancashire, at Liverpool.—*Robt. Goodwin*, Liverpool, butcher, Sept. 1 at 9, County Court of Lancashire, at Liverpool.—*W. Ivens*, Southam, Warwickshire, labourer, Sept. 6 at 11, County Court of Warwickshire, at Southam.—*Wm. Matt*, Ipswich, Suffolk, shipwright, Sept. 12 at 10, County Court of Suffolk, at Ipswich.—*Edward Norris*, Boston, Lincolnshire, basket maker, Sept. 16 at 10, County Court of Lincolnshire, at Boston.—*Wm. Slight*, Leverton, near Boston, Lincolnshire, out of business, Sept. 16 at 10, County Court of Lincolnshire, at Boston.—*Thomas Porter*, Swansea, Glamorganshire, baker, Sept. 9 at 10, County Court of Glamorganshire, at Swansea.—*Thomas Thomas*, Crwosa, Llangualech, Glamorganshire, farmer, Sept. 9 at 10, County Court of Glamorganshire, at Swansea.—*W. Richards*, Cardiff, Glamorganshire, accountant, Sept. 13 at 10, County Court of Glamorganshire, at Cardiff.—*John Perkins*, Moreton-in-Marsh, Gloucestershire, slater, Sept. 12 at 10, County Court of Worcestershire, at Shipston.—*Edw. Watson*, Nettleham, Lincolnshire, saddler, Sept. 15 at 10, County Court of Lincolnshire, at Lincoln.—*Wm. Patenden*, Ticehurst, Sussex, labourer, Sept. 11 at 10, County Court of Kent, at Tunbridge Wells.—*John Isaac*, Southampton, spectacle maker, Sept. 9 at 10, County Court of Hampshire, at Southampton.—*William Leman*, Leicester, licensed victualler, Sept. 17 at 10, County Court of Leicestershire, at Leicester.—*James Lavery*, Southampton, traveller, Sept. 9 at 10, County Court of Hampshire, at Southampton.—*R. Parker*, Bath, agent, Sept. 6 at 11, County Court of Somersetshire, at Bath.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 15 at 10, before the CHIEF COMMISSIONER.

Thomas Mercer, Thames Ditton, Surrey, tailor.—*Edward Scriven*, Winchester-street, Agar-town, Camden-town, Middlesex, coach lining scourer.—*Robert S. Parmen*, Cannon-place, Whitechapel-road, Middlesex, coachmaker.

Sept. 15 at 10, before Mr. Commissioner LAW.

Henry Kay, Silchester-road, Kensington-park, Middlesex, joiner.—*H. L. Patterson*, Ludgate-street, London, tailor.—*John Veevers*, Snarbrook, Wanstead, Essex, general agent.

Sept. 15 at 10, before Mr. Commissioner PHILLIPS.

Henry Hatley, Ridinghouse-lane, Marylebone, Middlesex, coal dealer.—*John T. Tidd*, Market-terrace, Southgate-road, Kingland, Middlesex, secretary to the Islington Cattle Market and Abattoir Company.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Sept. 12 at 11.

John Lawrence, Liverpool, out of business.—*Thos. Whitworth*, Manchester, joiner.—*Geo. Chapman Beckett*, Liverpool, passenger broker.—*James Bamforth*, Ashton-under-Lyne, out of business.—*Wm. Blackow*, Manchester, porter.—*Isaac Whittle*, Openshaw, near Manchester, out of business.—*Thomas Hall*, Lancaster, out of business.—*Alex. McEwen*, Rochdale, civil engineer.—*Joseph Robinson*, Manchester, assistant to a hairdresser.—*James Collier*, Bury-lane, near Leigh, cotton warper.—*John Ward*, Manchester, out of business.—*Haworth Maxwell*, Sabden-bridge, near Clitheroe, out of business.—*Josiah Wedgwood*, Liverpool, commission

agent.—*Richard Butcher*, Liverpool, out of business.—*Saml. Grindrod*, Oldham, cotton manufacturer.—*Henry Jenson*, Manchester, rope maker.—*Henry Lloyd*, Oldham, cotton waste dealer.—*John Barber*, Stockport, baker.—*John Woolcraft*, Salford, out of business.—*John Pike Lawrence*, Liverpool, shoemaker.—*Edmund Ashworth*, Rochdale, mechanic.

At the County Court of Glamorganshire, at CARDIFF, Sept. 13.

The Rev. John Lloyd Williams, Cardiff, clerk in holy orders.

At the County Court of Lincolnshire, at LINCOLN, Sept. 15.

George Empson, Messingham, near Brigg, farming bailiff.—*John Booth*, Kirton in Lindsey, bookkeeper.

At the County Court of Shropshire, at SHREWSBURY, Sept. 16 at 10.

John Randles, Ifton, St. Martin's, wheelwright.—*Edward Randles*, Ifton, St. Martin's, farming labourer.

At the County Court of Northamptonshire, at NORTHAMPTON, Sept. 17.

Jesse Terrey, Rothwell, near Kettering, tinman.

At the County Court of Worcestershire, at WORCESTER, Sept. 17.

William Scott, Bromsgrove, supervisor of excise.—*Ann Worton*, Claines, dressmaker.

MASTER IN CHANCERY.—The Lord Chancellor has appointed *Edward Henry Major Clarke, Gent.*, of Melton Mowbray, Leicestershire, to be a Master Extraordinary in the High Court of Chancery.

RATING OF RAILWAYS.

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The Jurist

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SEPTEMBER 6, 1851.

PRICE 1s.

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LONDON, SEPTEMBER 6, 1851.

MUCH of the blue book which contains the Report of the Common-law Commissioners reads like a satire upon justice, and will doubtless be so considered by the next generation. The anomalies and absurdities which incumber and disgrace our juridical system are here presented to the public in a popular form, stripped of the solemnities by which they are surrounded in merely legal works. Happily, however, although the disease is almost desperate, the remedies which are prescribed are practicable, and may yet save the patient, if they be zealously and speedily administered. With a view to promote their adoption, we propose to analyse the Report, so as to place some of its important suggestions prominently before the reader.

Commencing with the abomination of court fees, we learn that for every cause tried in the Exchequer the suitor pays 2s. to the Chief Baron's coachman! This learned functionary (the coachman) netted 51l. 10s. from this source alone in 1843. Since that year we have no return of his emoluments. It appears that sometimes, on his master's circuit, he takes charge of the jury; why he should do so, or why, therefore, every suitor in his master's court should pay him 2s., whether they have the advantage of the coachman's services or not, does not appear.

Even *bonâ fide* officers of the court are paid fees, not only for what they do, but what they also omit to do. Thus the associate is paid 2s. (except in the Common Pleas, where he receives only 1s.) on every exhibit—that is, every document put in and read in a cause; and this, although they may be only nominally read by him. One cause was mentioned before the commissioners in which the reading of one document was sufficient, but it was necessary to consider that an immense number had been put in and read. The associate's fees on that occasion, in respect of his imaginary labours, amounted to 800l., at the rate of 1s. for each document; but the gentleman who then filled the office (the Hon. Claude Wilde) declined to receive anything like the amount. "I took 20l.," he says,

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II

"and thought myself well paid for doing nothing." (Page 102 of the Report). Mr. Pollock, the associate in the Exchequer, stated, that, in common decency, he could not insist upon his strict rights, and sometimes remitted the amount due for exhibits. Then there is a fee of 2s. in London, and 6s. 8d. on circuit, paid to the associate for drawing the *postea*, a duty which he is very seldom called upon to perform, as it is generally drawn up by a barrister or pleader, whose fee is to be paid in addition to that of the associate. For special cases and special verdicts, "in the Queen's Bench and Common Pleas 1s. 8d. per folio is charged for drawing and engrossing, and 4d. for copying; and in the Exchequer 2s. per folio is charged for drawing and engrossing, and 8d. for copying. In fact, the duty or labour for which these fees are paid is never done by the officer, but is entirely performed by the legal advisers of the parties; so that the client has to pay, not only his legal adviser, who performs the duty, but also the officer, who does nothing." (P. 62).

Some proceedings consist in merely paying a fee, and nothing else is required to be done by any person whatever. Take the following questions and answers between the commissioners and Mr. Straight, (deputy clerk of assize):—"There is an old story about casting an assail. There was great difficulty as to how an assail was to be cast, but, on going to the office, the officer said, 'Pay 3s. 4d.,' is that so?—That is very much so in our office. I speak particularly as to the Crown side. We have so much for a conviction where there is nothing done upon the conviction; it is only entering the verdict of the Court; so much upon an acquittal, so much upon a challenge, and so much upon a discharge of the recognisance. There are no duties performed for that.

"The question refers to the civil duties?—It is exactly the same. . . . There is a fee of 2s. upon every issue after the first, which is called reading every issue after the first, but which is never done, of course, the pleadings are opened by the junior counsel." (Pp. 117, 118).

Such are a few of the gross abuses which have crept



into the distribution of the money paid by suitors; but, in fact, the whole system of court fees is unjust and injurious in the highest degree. The proper administration of justice is a general good, and the public should contribute towards its maintenance. The individual member of society who has to make use of it has special charges or risks, which must fall upon himself or his adversary, but that is no reason why such an occasion should be chosen for making him contribute to the revenue, or to those general charges which may exist for the general advantage. A man who goes to law has enough to bear without being then rendered subject to unnecessary burthens.

There can be no doubt that those who never sue in a court of law are yet benefited by having those courts to resort to if they please, and that debts due to them are paid, and their rights respected, in many instances, because those courts do exist. They, therefore, should contribute to the expense of supporting them. Beyond such support no tax should be imposed upon the public in connexion with the administration of justice; and certainly this should not be regarded as a means of increasing the revenue. Yet the surplus paid into the Treasury from this source, in 1847, was 16,809*l.*; in 1848, 16,719*l.*; in 1849, 11,891*l.*; and in 1850, 9,855*l.* (P. 65).

We are happy to find that the commissioners recommend the abolition of court fees altogether, and the payment of officers by salaries out of the general funds of the country, in the same manner as the judges are paid.

So beneficial would this change be, that we should hope to see it adopted, if the proposal for it did not occur in a Report of commissioners appointed to inquire into the subject; but as the very same alteration was earnestly recommended by a committee of the House of Commons in a Report published in 1847, without any effect whatever, it would be, at least, premature to expect a better fate for the suggestions contained in the Report before us.

We shall consider the remainder of the Report on a future occasion.

OBSERVATIONS ON THE HEADS OF INQUIRY OF THE CHANCERY COMMISSION.

THE Chancery Commissioners have issued the following series of questions for the consideration, we believe, of the Profession, on the subject of improvement in the mode of taking evidence in Chancery:—

"1. Can the mode of taking evidence by the oral examination of witnesses in the presence of the parties, their solicitors or counsel, be beneficially introduced into the system of administering justice in the Court of Chancery?

"2. If so, should the whole evidence be taken orally, and whether before the judge who hears the case, or before a Master, examiner, or other officer appointed for the purpose?

"3. Assuming that the whole evidence cannot be taken orally before the judge who hears the cause, should the judge have power to direct the oral examination of witnesses before him?

"4. If so, should the power be exercised at the sole discretion of the judge, or should the parties have the

right, and if so, subject to any and what restrictions, to require the witnesses to be examined in court?

"5. Should the witnesses be examined orally in court in cases only when the judge feels a doubt on the effect of the written evidence, or when the evidence is conflicting, or with any and what other limitations or restrictions, or in particular classes of cases, such as questions involving sanity or insanity, legitimacy, or others, when issues are now ordinarily directed?

"6. It has been suggested, that, if at the hearing the Court had power to direct oral examination of witnesses before itself, it might be able to dispense with issues, and, in many cases, with references to the Master.

"7. Should the oral examination of witnesses in court be considered as an adjournment of the hearing, or a distinct proceeding, founded on an order of the Court, subject to appeal in like manner as orders now made directing issues or references to the Master?

"8. Should not the Court in such cases find the facts distinctly and separately, in the nature of a finding by a jury or a Master?

"9. Should the oral examination of witnesses in court be confined to the hearing of the cause, or extend to interlocutory application generally, or to those of any and what particular class?

"10. Should the decision of the Court upon the evidence, taken orally, so far as the facts are involved, be final, or subject to appeal; and what provisions would be necessary with respect to new trials?

"11. Should the power of taking evidence orally be extended to a court of appeal?

"12. Assuming that preliminary evidence will in general be adduced, should such preliminary evidence be by affidavit, by depositions on written interrogatories, or by depositions taken orally?

"13. It has been suggested that in all cases evidence by affidavit might be allowed to be adduced by the parties, as in the Master's office, subject to the right of either party, at the peril of costs, to require the witnesses to be produced before an examiner for oral examination and cross-examination.

"14. It has been suggested that the mode in which evidence is taken for the courts of common law, of witnesses abroad or about to leave the country, would afford a good precedent for the examination of witnesses in equity.

"15. Is there any sufficient ground for the jealousy with which Courts of equity seek to preserve the secrecy of the evidence given until publication?"

In this journal we have long and frequently advocated the introduction of *viva voce* evidence into equity proceedings, and we shall now resume the subject, and state our opinions with reference to the particular inquiries and suggestions made by the commissioners. The questions, when, how, and to what extent oral evidence should be taken, involved in the first six heads of inquiry, can only be satisfactorily answered by considering what is the nature of suits in equity, what has to be disposed of in them, and what are the extent and weight of the objections to the present system of taking evidence. Now, to begin with the last point, if there were any case in which evidence by depositions could be as effectually taken as it is *viva voce*, we should say, do not altogether abolish the existing practice; but, notwithstanding the great delay incident to it, let equity evidence be taken in the first instance, and, if not otherwise directed, as it is now; with power to the judge, on the application of either party, or at his own discretion, to direct evidence to be taken, or to be added to, *viva voce*. But there does not seem really one redeeming point about the system of taking depositions upon written interrogatories. The examination by interrogatories, when it is conducted in the best possible manner—that is, when

the draftsman, being informed by his instructions what particular witnesses can prove, frames his interrogatories accordingly—is still so extremely defective, partly from the unavoidable technicality and involved style of interrogatories, which makes them scarcely intelligible to any but a lawyer, and partly from the imperfection resulting from the impossibility of extracting what a witness knows, fully, or in the clearest manner, when there is no opportunity for the immediate suggestion of a new question by the unexpected character of the immediately preceding answer, that, literally and truly, examination by written interrogatories may be said to be *always* inferior to oral examination—or, if not always, at least in so great a majority of cases, that its total extinction would be a blessing. We think, therefore, that, as a general rule, the existing mode of examining in Chancery, on written interrogatories, may be, without disadvantage, abolished; and that all the evidence, that is now taken for the hearing of a cause by deposition, should be taken orally. Whether it should be taken as at *Nisi Prius*, before the judge who hears the cause, or, as a preliminary proceeding, before a Master or examiner, is a more difficult question; but we conceive, that, on the whole, it would be better that it should be taken as at *Nisi Prius*, before the judge, and for the following reasons. The principal advantage of taking evidence orally is, that the counsel who conducts the case, and the judge who has to decide it, on the facts as well as on the law, may have the opportunity of personally seeing the working of the witnesses' minds, and of keeping in view the bearing of the evidence, as it is from time to time given, on the various questions in the cause. Now, if the evidence were taken before a preliminary tribunal, such as a Master or an examiner, the judge who has ultimately to decide, and the leading counsel who conducts the case before him, would, of course, be deprived of these advantages; nor would the examiner himself have that of watching the bearing of the questions put to the witnesses on all the circumstances of the case, unless the whole case were opened before him, just as if he were trying the cause. If that were done, of course the cause would, so far as expense is concerned, have to be, in effect, twice heard. And, as it may be taken for granted, that, in practice, only the junior counsel would attend the examining courts, the result would be, as we have observed, to lose the advantage of the witnesses being examined and watched by those counsel who have ultimately the conduct of the cause—an objection not the less considerable, that it is one that exists in the present practice. For it is one of the most serious objections to the present mode of taking evidence, that it is entirely left in the hands of the junior counsel; so that, if at the hearing it appears to the leading counsel that some evidence might usefully have been taken or rejected, which has been omitted or taken, there is no opportunity of correcting the error; whereas, where the evidence is taken orally at the hearing, although the course of evidence has been advised by the junior counsel alone, the evidence is capable of being mended, if we may use the expression, at the hearing, under the further advice of the leading counsel.

The most prominent objection that suggests itself, to examining witnesses at the hearing in court, is, that more of the time of the judge will be taken up in trying causes; and this is literally true, as any one who has compared the time occupied by the hearing of a case in Chancery, and of the same case tried at law, well knows. The reason is obvious: in Chancery, all the evidence being prepared and laid before counsel before the trial, only that which is valuable is eliminated for reading on the trial, and of that even, frequently, the substance, and not the detail, is stated; whereas how it is extracted at a trial at law, bit by bit, and at tedious length, every one knows. But the true

and important question is, not whether the duration of a trial will be lengthened, but whether, on the whole, taking the conduct of a case from the beginning to the end, time and expense will not be saved to the public. Now, conceding that, if the witnesses are examined at the hearing orally, the judges will usually require a longer period to hear a cause than they do now, it must be borne in mind that a very great part of the great delay, and all the expense, of taking the evidence in writing, will be avoided; and also the great expense of transcribing many times over, for the briefs, all the evidence, frivolous as well as material, will be avoided; because the process would be just as at *Nisi Prius*—counsel would be furnished with heads of what the witnesses can prove; they would elicit at the trial all they want, and, taking notes on their briefs of what they consider material, the rest would be rejected. Thus all the expense of drawing and copying interrogatories, of taking the depositions before the examiners, of office copies, &c., and of as many brief copies as there are counsel in the cause, will be saved to the suitor. Probably, under this system, some additional equity judges would be requisite. But the expense to the public of maintaining two or three additional Vice-Chancellors' Courts would be as nothing compared with the expense of endless copies of endless verbiage, all of which must be paid for at every step, from the law-stationer upwards to the senior counsel, while not one-tenth of it is ever used, or of any use. But even if it were shewn that an actually greater expense would be caused to the country by the introduction of oral evidence at the trial of an equity cause, still, if it be the fact that justice would be thereby more effectually done, the question of expense is comparatively insignificant. So that, on the whole, it seems, to our humble judgment, that the balance of argument is greatly in favour of the evidence being taken orally, and before the judge who hears the cause. And the judge ought to state specifically and positively the facts that he finds upon the evidence, in the nature of a verdict by a jury.

With regard to the suggestion contained in No. 13, it seems to us that it is very good as applied to interlocutory applications, such as motions for injunctions, receivers, and the like—those applications, in fact, which are now heard on affidavit; but we can see no reason for extending it to the hearing of a cause.

The method of taking evidence by affidavit is very convenient and good so far as this, that it enables the witness to state in a flowing and clear manner what he wishes to state. It is, therefore, a very good mode of taking evidence, in the first instance, on interlocutory applications, particularly if the subject-matter requires scientific elucidation. But it is a bad mode in this, that each witness, stating only what he chooses to state, and no more, may state the strict truth, and yet, by not stating all he knows, in substance not merely not enlighten, but absolutely deceive the Court. Now, if, on interlocutory applications, each party had a right to cross-examine his adversary's witness orally, the party producing him having a right of re-examination, the combination would afford very efficient means of eliciting the truth; and we venture to predict that if this mode were adopted on interlocutory applications, actions and issues would be rendered unnecessary in a great number of cases, where the Court is now, by reason of the infirmity of mere affidavit evidence, driven to direct them.

As to the matter of the 10th and 11th questions, the practical answers to them depend very much on what is proposed to be done in respect to the original taking of the evidence. Assuming that the evidence is taken originally before the judge who tries the cause, it must be borne in mind that he is, to all intents and purposes, both judge and jury. An appeal, therefore, ought to

lie from him in his character of jury, as well as in his character of judge. This being assumed, the practical consequences seem to follow. If the judge, as such, has improperly received or rejected evidence, or if, as jury, he has found the facts contrary to the evidence, there ought to be a new trial; and in such cases the course would be an application to the Appeal Court for a new trial, which, if directed, should, of course, be directed before a different judge. We suppose such an application would be most conveniently made upon a substantive motion, the notice of motion containing or being accompanied with a statement of the grounds on which the new trial is asked. The common-law method of an ex parte application for a rule nisi, and then after that, a shewing cause why it should not be made absolute, is a very roundabout and not very convenient method. But if the parties are satisfied with the finding of the judge as to the facts, and his ruling as to the admission or rejection of evidence, and object only to his law, then the course would be an appeal, properly so called. On this point, what we are suggesting is obviously a departure to some extent from the existing practice on appeals, in which the Court of Appeal corrects the conclusions of fact of the judge below, as well as his declarations of the law; but we think the difference is rendered necessary, or at least proper, by the difference in the mode of taking the evidence. According to the present practice, the judge below proceeds on the written evidence, and the appeal judge does the same; it is therefore quite reasonable that the appeal judge should have power to correct the conclusions of fact as well as the law of the Court below. But if the judge below is to take the evidence originally orally, and if he is to do so on the ground of his having a great advantage by personally seeing the bearing of the witnesses, and examining them if necessary, it would be idle to give an appeal, upon his conclusions of fact, to a judge who has not that advantage, but only sees the written evidence.

It is true that the appeal might be on conclusions of fact as well as on the law—that is, it might be in the nature of a new trial; but this, though not objectionable in principle, would probably cause an inconvenient waste of time; and we should say it would be better to confine appeals, properly so called, to appeals upon the law, holding the parties concluded, as to the facts, by the finding of the Court below.

London Gazettes.

TUESDAY, SEPTEMBER 2.

BANKRUPTS.

WILLIAM JAMES PAXMAN and **CATHERINE PAXMAN**, Hare-street, Bethnal-green, Middlesex, silk dyers, dealers and chapmen, (carrying on business under the style or firm of Paxman & Son), Sept. 13 at 11, and Oct. 11 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition dated Aug. 29.

JOHN WALL and **THOMAS YOUNG WALL**, Chatham, Kent, brewers, Sept. 8 at half-past 1, and Oct. 17 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Wright & Bonner, 15, London-street, Fenchurch-street.—Petition dated Aug. 22.

WILLIAM STRANGE the younger, Paternoster-row, London, bookseller, dealer and chapman, Sept. 8 at half-past 11, and Oct. 17 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Gidley, 11, Crosby-hall-chambers, Bishopsgate-street.—Petition dated Aug. 29.

WILLIAM HERO LUCKINS, Kennington-row, Kennington, Surrey, coachmaker, dealer and chapman, Sept. 8 and Oct. 17 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Cates & Son, 23, Fenchurch-street.—Petition dated Sept. 1.

HENRY ADAMS NEWMAN, Jewry-street, Aldgate, London, and Church-street, Shoreditch, Middlesex, clothier, dealer and chapman, Sept. 8 at 11, and Oct. 17 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Sale & Co., Manchester; Reed & Co., 59, Friday-street, Cheapside.—Petition dated Aug. 27.

DUMAS BONNET, Mark-lane, London, and Golden-sq., St. James's, Westminster, Middlesex, wine and spirit merchant, dealer and chapman, Sept. 13 at 1, and Oct. 24 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Lewis, 1, Albany-court-yard, Piccadilly.—Petition dated Aug. 27.

ROBERT THORPE, Stafford, last manufacturer, dealer and chapman, Sept. 16 and Oct. 7 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Smith, Birmingham.—Petition dated Aug. 26.

JOHN PHILLIPS, Longton, Staffordshire, grocer, Sept. 16 and Oct. 7 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Evans & Son, Liverpool; Smith, Birmingham.—Petition dated Aug. 21.

THOMAS WEBB, Stourbridge, Worcestershire, clothier and tailor, dealer and chapman, Sept. 16 and Oct. 7 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Price, Stourbridge; Smith, Birmingham.—Petition dated Aug. 23.

JOHN MIDGLEY, Kingston-upon-Hull, carpenter, joiner, shoe dealer, dealer and chapman, Sept. 17 and Oct. 15 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Saxelbye, Kingston-upon-Hull.—Petition dated Aug. 22.

MATTHEW PATTISON, South Shields, Durham, ironmonger and hardwareman, Sept. 16 and Oct. 17 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed Aug. 25.

MEETINGS.

John Buttrey, Woolwich, Kent, victualler, Sept. 13 at 11, Court of Bankruptcy, London, aud. ac.—*John Pescod Whitmore*, Hackney, Middlesex, draper, Sept. 13 at 11, Court of Bankruptcy, London, aud. ac.—*Jas. Dummelow* the younger, Fenchurch-street, London, broker, Sept. 13 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Clarke Pauling*, Great Percy-street, Pentonville, Middlesex, railway contractor, Sept. 13 at 11, Court of Bankruptcy, London, aud. ac.—*John Wright*, Tamworth, Staffordshire and Warwickshire, scrivener, Sept. 23 at half-past 11, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. Artley*, North Burton, Yorkshire, miller, Sept. 24 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, div.—*Richard Goody* and *William Edward M'Kee*, Kingston-upon-Hull, millers, Sept. 24 at 12, District Court of Bankruptcy, Kingston-upon-Hull, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thomas Davis, Halifax, Yorkshire, commission agent, Sept. 25 at 11, District Court of Bankruptcy, Leeds.—*Thos. Mills*, Painswick, Gloucestershire, quarry master, Sept. 24 at 11, District Court of Bankruptcy, Bristol.

To be granted, unless an Appeal be duly entered.

William Garrow, Bootle, near Liverpool, merchant.—*Edward Hedges*, Chilton Folliat, Wiltshire, builder.

PETITION ANNULLED.

John Macduff, Brynmawr, Llanelly, Brecknockshire, auctioneer.

PARTNERSHIP DISSOLVED.

Henry Boulton Harle and *William Clarke* the younger, Leeds, Yorkshire, (under the style or firm of Harle & Clarke), attornies and solicitors.

SCOTCH SEQUESTERATIONS.

Alexander Rainie, deceased, Tillioch, Echt, Aberdeenshire, farmer.—*John Leslie & Co.*, Auchry, quarriers.—*John Kennedy*, St. Andrew's, builder.—*Laing, Barlas, & Co.*, Leith, merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Timms Hunt, Chipping Norton, Oxfordshire, shopman to an ironmonger, Sept. 26 at 11, County Court of Oxfordshire, at Chipping Norton.—*Charles Henry Oury*, Norwich, book-seller's assistant, Sept. 20 at 10, County Court of Norfolk, at Norwich.—*Thomas Davies*, Llanelly, Carmarthenshire, auctioneer, Sept. 18 at 11, County Court of Carmarthenshire, at Llanelly.—*Thomas Ward Davies*, Llanelly, Carmarthenshire, printer, Sept. 18 at 11, County Court of Carmarthenshire, at Llanelly.—*Joseph Graham*, Cockermouth, Cumberland, ironmonger, Oct. 2 at 10, County Court of Cumberland, at Cockermouth.—*Thos. Smith*, Bloxwich, Staffordshire, butcher, Sept. 18 at 12, County Court of Staffordshire, at Walsall.—*Robert Flowerday Bubbings*, Thorpe-next-Norwich, Norfolk, wheelwright, Sept. 20 at 10, County Court of Norfolk, at Norwich.—*Stephen Blezard*, Prestwich-cum-Oldham, Lancashire, tailor, Sept. 24 at 11, County Court of Lancashire, at Bury.—*George Bartlett Coggan*, North Curry, Somersetshire, schoolmaster, Sept. 18 at 10, County Court of Somersetshire, at Taunton.—*William Gay*, Pembroke Dock, Pembrokehire, joiner in her Majesty's Royal Dockyard, Pembroke, Sept. 15 at 10, County Court of Pembrokehire, at Pembroke.—*Enoch Cook*, Timberland, near Tattershall, Lincolnshire, farmer's bailiff, Sept. 19 at 11, County Court of Lincolnshire, at Sleaford.—*Thos. Parkinson*, Little Horton, Bradford, Yorkshire, woolcomber, Sept. 15 at 11, County Court of Yorkshire, at Bradford.—*James Baker*, Walsall, Staffordshire, beerseller, Sept. 18 at 12, County Court of Staffordshire, at Walsall.—*Philip Grove*, Walsall, Staffordshire, grocer, Sept. 18 at 12, County Court of Staffordshire, at Walsall.—*John Cotterill*, Darlaston, Staffordshire, gun-lock filer, Sept. 18 at 12, County Court of Staffordshire, at Walsall.

Saturday, Aug. 30.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Ottway, Walker-terrace, Limehouse, Middlesex, blacksmith, No. 62,412 T.; *Edward Godson*, assignee.—*John Husham*, Totness, Devonshire, tallow chandler, No. 71,168 C.; *Henry Goodman*, assignee.—*James Fitzgerald*, Antrobus Arms, Congleton, Cheshire, assistant to the proprietor, No. 73,611 C.; *Joseph Carter Wood*, assignee.—*Thomas Reeves*, Thrapwood, Worthenbury, Flintshire, labourer, No. 73,897 C.; *Richard Lee*, assignee.—*Wm Marsters Miller*, Walcot, Bath, Somersetshire, upholsterer, No. 70,199 C.; *Matthew Parker*, assignee.—*Wm. Hivins*, Church Honeyburn, Worcestershire, farmer, No. 72,079 C.; *Frederick Chas. Jewsbury*, assignee.—*Wm. Bushbey*, Great Cumberland-place, Middlesex, Esq., No. 6561 T.; *Robert Williams* the younger, new assignee, in the room of *Robert Williams* and *David Colvin*, deceased.—*Wm. John Donne*, Maiden-lane, Covent-garden, Middlesex, haberdasher, No. 36,147 T.; *S. Moore*, new assignee, in the room of *John Moore*, deceased.—*Edward Gooding*, Morebath, Devonshire, gentleman, No. 62,916 C.; *William Trickey*, new assignee; *John Loosemore*, removed.—*Samuel Jones*, Kirkdale, Liverpool, Lancashire, farmer, No. 71,742 C.—*Michael Wardle*, Seaham Harbour, Durham, grocer, No. 73,985 C.; *John Brough* and *Martin Cooper*, assignees.—*Ralph Robinson*, Salford, Lancashire, rent collector, No. 73,912 C.; *Henry Barkworth*, assignee.—*Thomas Frederick Theed*, Borough-green, Cambridgeshire, surgeon, No. 73,565 C.; *Arthur Kingston*, assignee.

Saturday, Aug. 30.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Stedman, Ebenezer-place, London-fields, Middlesex, commission agent: in the Debtors Prison for London and Middlesex.—*Henry Colwell*, Shoe-lane, Farringdon-street, London, truss maker: in the Debtors Prison for London and Middlesex.—*Arthur Henry Powell*, Crescent-terrace, Millbank, Westminster, Middlesex, in no trade: in the Queen's Prison.—*James Brooker*, Oxted, near Godstone, Surrey, miller: in the Gaol of Horsemonger-lane.—*Daniel Flynn*, Blackfriars-road, Surrey, tailor: in the Queen's Prison.—*T.*

Cloutman, St. George's-st., Commercial-road, Peckham, Surrey, carpenter: in the Queen's Prison.—*William Cloutman*, St. George's-st., Commercial-road, Peckham, Surrey, carpenter: in the Queen's Prison.—*John Cox*, Cox's-terrace, Lower-road, Rotherhithe, Surrey, builder: in the Queen's Prison.—*Pierce O'Brien*, Havil-st., Southampton-st., Camberwell, Surrey, beer-shop keeper: in the Queen's Prison.—*James Fairlie*, Albert-road, Camberwell, Surrey, out of business: in the Debtors Prison for London and Middlesex.—*Wm. Chapman*, New-st., Cloth-fair, Smithfield, London, retailer of beer: in the Debtors Prison for London and Middlesex.—*John Wright*, Maidstone, Kent, general dealer: in the Debtors Prison for London and Middlesex.—*Wm. Warren*, Raven-row, Cannon-place, Mile-end, Middlesex, door keeper at the Old Bailey, London: in the Debtors Prison for London and Middlesex.—*Charles James Eyre*, Gloucester-terrace, Kensington, Middlesex, articled clerk to an attorney: in the Debtors Prison for London and Middlesex.—*Charles Wheeler Heiden*, Whipscross, Walthamstow, Essex, schoolmaster: in the Gaol of Horsemonger-lane.—*John Morton* the younger, King Edward-street, Westminster-road, Surrey, clerk to a coal merchant: in the Gaol of Horsemonger-lane.

(On Creditor's Petition).

John Stratton, King-st., Camden-town, Middlesex, not in any occupation: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Wm. Booth, Mexbrough, near Rotherham, Yorkshire, farrier: in the Gaol of York.—*Benjamin Foscroft*, Leeds, Yorkshire, joiner: in the Gaol of York.—*John Inness*, Newcastle-upon-Tyne, plane maker: in the Gaol of Newcastle-upon-Tyne.—*Simson Eary*, Milton, Cambridgeshire, licensed victualler: in the Gaol of Cambridge.—*Clement Sharman*, Spalding, Lincolnshire, shoemaker: in the Gaol of Lincoln.—*John Pike Lawrence*, Liverpool, shoemaker: in the Gaol of Lancaster.—*John Woollicroft*, Salford, Lancashire, beer-house keeper: in the Gaol of Lancaster.—*Henry Lloyd*, Greenacres Moor, Oldham, Lancashire, waste dealer: in the Gaol of Lancaster.—*James Collier*, Calcheth, Bury-lane, near Leigh, Lancashire, cotton warper: in the Gaol of Lancaster.—*Joseph Robinson*, Manchester, hairdresser: in the Gaol of Lancaster.—*Alex. McEwen*, Moss Side, Castleton, near Rochdale, Lancashire, civil engineer: in the Gaol of Lancaster.—*Edmund Ashworth*, Pleasant View, Rochdale, Lancashire, mechanic: in the Gaol of Lancaster.—*John Barber*, Portwood within Brinnington, Cheshire, baker: in the Gaol of Lancaster.—*Richard Butcher*, Liverpool, ale and porter dealer: in the Gaol of Lancaster.—*J. Llewellyn*, Pembroke Dock, Pembrokehire, licensed victualler: in the Gaol of Haverfordwest.—*Wm. Hall*, Speenhamland, Newbury, Berkshire, bookseller: in the Gaol of Reading.—*Charles Beaton* the younger, Old Sodbury, Gloucestershire, attorney: in the Gaol of Wilton.—*Wm. Rowland*, Holt, Denbighshire, farmer: in the Gaol of Ruthin.—*Wm. W. Sears*, Dartford, Kent, farmer: in the Gaol of Maidstone.—*Samuel Brooke*, Little Town, near Leeds, Yorkshire, blanket manufacturer: in the Gaol of York.—*Benjamin Illingworth*, Pudsey, near Leeds, Yorkshire, clothier: in the Gaol of York.—*James Barker*, Bradford, Yorkshire, stonemason: in the Gaol of York.—*George Green*, Knottingley, near Ferrybridge, Yorkshire, master mariner: in the Gaol of York.—*Wm. R. Good*, Polruan, Lantigos by Fowey, Cornwall, master mariner: in the Gaol of Bodmin.—*Robert James* the younger, Badbrook, Stroud, Gloucestershire, butcher: in the Gaol of Gloucester.—*Luke Nolan*, Liverpool, fish dealer: in the Gaol of Lancaster.—*John Stonehouse*, Leeds, Yorkshire, butcher: in the Gaol of York.—*Henry T. Smardon*, Lower Brixham, Devonshire, master mariner: in the Gaol of St. Thomas the Apostle.—*John W. Tregoning*, St. Erne, Cornwall, carpenter: in the Gaol of Bodmin.—*Joseph Kitchen*, Stony Rock, Burmantofta, Leeds, Yorkshire, flour dealer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 16 at 11, before the CHIEF COMMISSIONER.

John Martin the elder, North Cheam, Surrey, labourer.—*John Howard*, Chandos-st., Covent-garden, Middlesex, out of business.—*John Gray*, Guilford-place, Bagnigge-wells-

road, Clerkenwell, Middlesex, inspector of the G Division of Police.

Sept. 16 at 11, before Mr. Commissioner LAW.

Charles Mobler, Holywell-street, Kingsland, Middlesex, cheesemonger.—*Charles Jackson*, Felix-street, Hackney-road, Middlesex, shoemaker.

Adjourned.

James Fisher, Sloane-st., Chelsea, Middlesex, confectioner.

Sept. 16 at 11, before Mr. Commissioner PHILLIPS.

Edwin Andrade, Newington-pl., Kennington-road, Surrey, butcher.—*Thomas Grant*, Princes-street, Leicester-square, Middlesex, dealer in furniture.—*George Newman*, Grove-road, St. John's Wood, Middlesex, stablekeeper.

Sept. 18 at 10, before the CHIEF COMMISSIONER.

Edward Billing, Oxford-street, Middlesex, assistant to an auctioneer.—*Henry Middleton*, Upper Ebury-street, Pimlico, Middlesex, builder.—*Thomas Lumsip*, Brunswick-st., Blackfriars-road, Surrey, out of business.

Sept. 18 at 10, before Mr. Commissioner LAW.

Wm. Powell, Wardrobe-place, Doctors'-commons, London, account-book clasp maker.—*Benoit Thurniaire*, Vauxhall-walk, Lambeth, Surrey, equestrian artiste.—*Wm. Clifton*, Queen-st., Tower-hill, Middlesex, tailor.

Sept. 18 at 10, before Mr. Commissioner PHILLIPS.

Charles B. Grey, Trinity-place, Wandsworth, Vauxhall, Surrey, clerk to a lighterman.—*Henry Burrage*, Plumber's-row, City-road, Middlesex, builder.—*Henry Woolcott*, New Oxford-st., Middlesex, fringe manufacturer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Sept. 15 at 10.

Alfred Leets, Cambridge, out of business.—*Geo. Freeman*, Cambridge, brazier.—*Daniel Steele*, Chesterton, bricklayer.

At the County Court of Somersetshire, at TAUNTON, Sept. 18.

Charles Beaton the younger, Old Sodbury, Gloucestershire, attorney.—*Charles E. Lenton*, Stocklinch Magdalen, near Ilminster, in no business.

At the County Court of Buckinghamshire, at AYLESBURY, Sept. 24 at 12.

Wm. M. King, Dorking, Surrey, clerk in the General Post-office.

At the County Court of Gloucestershire, at GLOUCESTER, Sept. 25 at 10.

Charles Whittard, Cheltenham, out of business.

At the County Court of Gloucestershire, at BRISTOL, Sept. 24 at 11.

Charles Jones, Bristol, out of business.

At the County Court of Nottinghamshire, at NOTTINGHAM, Sept. 25 at 11.

Wm. Hallam, New Lenton, farm labourer.

FRIDAY, SEPTEMBER 5.

BANKRUPTS.

JOHN VALENTINE, Northampton, tea dealer and grocer, Sept. 13 at half-past 1, and Oct. 24 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Miller & Carr, 47, Eastcheap.—Petition dated Sept. 3.

JOHN BRUDENELL, Windsor, Berkshire, brewer, Sept. 13 at half-past 12, and Oct. 24 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Bunny & Son, Newbury; Lawrance & Co., 16, Old Jewry-chambers.—Petition dated Aug. 16.

FREDERICK WINTLE and **HENRY MORETON SHAW**, Liverpool, drapers, milliners, dealers and chapmen, Sept. 10 and Oct. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Avison & Pritt, Liverpool; Mason, Moira-chambers, 17, Ironmonger-lane, London.—Petition filed Aug. 25.

THOMAS EDWARD NEWSTEAD, Norwich, draper, dealer and chapman, Sept. 13 at 1, and Oct. 18 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Hardwick & Co., Weavers'-hall, Basinghall-st., London.—Petition dated Aug. 23.

ROBERT NELSON FORSYTH, Birmingham, victualler, Sept. 16 at half-past 11, and Oct. 6 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Bartleet, Birmingham.—Petition dated Aug. 28.

JOHN LINNIS MUMFORD, Stoke Gabriel, Devonshire, miller, dealer and chapman, Sept. 17 and Oct. 8 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Herniman; Sols. Windeatt, Totnes; Terrell, Exeter.—Petition filed Aug. 28.

JOHN FORMAN and **ROBERT FROW**, Kingston-upon-Hull, joiners and builders, (under the style or firm of Forman & Frow), Sept. 24 and Oct. 22 at half-past 12, District Court of Bankruptcy, Leeds: Off. Ass. Carriek; Sols. Thorney & Son, or Lightfoot & Co., Kingston-upon-Hull.—Petition dated and filed Sept. 1.

MEETINGS.

Wm. Hodgson, Lancaster, watchmaker, and Barnoldswick, Yorkshire, brickmaker, Sept. 15 at 12, District Court of Bankruptcy, Manchester, pr. d. and ch. ass.—*B. Acres* the younger, Puckeridge, Braughing, Hertfordshire, innkeeper, Sept. 17 at 1, Court of Bankruptcy, London, last ex.—*Benj. John Beaton*, White Horse-street, Stepney, Middlesex, corn merchant, Sept. 23 at 12, Court of Bankruptcy, London, aud. ac.—*Thomas Fisher*, Gower-street, Bedford-square, and Tottenham-street, Tottenham-court-road, Middlesex, piano-forte manufacturer, Sept. 17 at 12, Court of Bankruptcy, London, aud. ac.—*Henry Marten*, Lewes, Sussex, draper, Sept. 17 at 11, Court of Bankruptcy, London, aud. ac.—*W. Rous Mabson*, Southampton, auctioneer, Sept. 16 at 11, Court of Bankruptcy, London, aud. ac.—*John Edmondson*, Warrington, Lancashire, miller, Sept. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Hoimes*, Cheltenham, Gloucestershire, paper stainer, Sept. 26 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*H. Reynolds*, Aberaman, Aberdare, Glamorganshire, innkeeper, Sept. 26 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Bullock*, Bristol, innholder, Oct. 10 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Oct. 17 at 11, div.—*John Wright*, Tamworth, Staffordshire and Warwickshire, scrivener, Sept. 23 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Charles Collins* and *George Talbot Ross*, Bewdley, and Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturers, Oct. 21 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Thos. Edwards*, Newport, Monmouthshire, ironfounder, Oct. 2 at 11, District Court of Bankruptcy, Bristol, div.—*Wm. Kendall* and *John Standish*, Leeds, Yorkshire, grocers, Sept. 26 at 11, District Court of Bankruptcy, Leeds, div.—*George Wilson*, Wakefield, Yorkshire, drapers, Sept. 26 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Abraham Solomons, Basinghall-street, London, merchant, Oct. 1 at 12, Court of Bankruptcy, London.—*Robt. Hazard* and *Fred. Robt. Hazard*, Bristol, victuallers, Oct. 8 at 11, District Court of Bankruptcy, Bristol.—*John Bibby*, Llanrhaiade-yn-Mochnant, Denbighshire, draper, Sept. 29 at 11, District Court of Bankruptcy, Liverpool.—*James Cobb*, Preston, Lancashire, innkeeper, Sept. 26 at 11, District Court of Bankruptcy, Manchester.—*Wm. Kendall* and *John Standish*, Leeds, Yorkshire, grocers, Sept. 26 at 11, District Court of Bankruptcy, Leeds.—*Wm. Benj. Richards*, Hill Top, West Bromwich, Staffordshire, grocer, Sept. 30 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

George Dodson, Neath, Glamorganshire, painter.—*Andrew Burn*, Sackville-st., Piccadilly, and Caroline-place, Pancras-vale, Middlesex, tailor.—*Charles May*, Norwich, *Wm. Leopold Metcalfe*, Great Yarmouth, Norfolk, and *Charles James Metcalfe*, Roxton, Bedfordshire, soap manufacturers.—*Ebenezer Thornton*, Huddersfield, Yorkshire, ironmonger.

FIAT ANNULLED.

William Henry Haigh, Wakefield, Yorkshire, flour and malt factor, (trading with Benjamin Burnell, under the firm of William Haigh & Co.)

PETITIONS ANNULLED.

Arthur Robert Fry, Mile-end-road, Middlesex, chemist.—*Henry Hayes*, Regent-street, and Stafford-row, Middlesex, draper.—*John Brown*, Deal, Kent, grocer.

SCOTCH SEQUESTRATIONS.

Alexander Henderson, Edinburgh, drysalter.—*Geo. Henry Findlay*, deceased, Edinburgh, coal merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Geo. Hart Gadd, Wragby, Lincolnshire, saddler, Sept. 26 at 11, County Court of Lincolnshire, at Market Rasen.—*George Ellis*, Bainton, Yorkshire, labourer, Sept. 16 at 10, County Court of Yorkshire, at Great Driffield.—*Owen Morris*, Carnarvon, Llanbeblig, Carnarvonshire, grocer, Sept. 22 at 10, County Court of Carnarvonshire, at Carnarvon.—*Wm. Griffiths*, West Bromwich, and *Joseph Parker*, Tipton, Staffordshire, chartermasters, Sept. 20 at 2, County Court of Staffordshire, at Oldbury.—*Joseph Hamblet*, Oldbury, Worcestershire, brickmaker, Sept. 20 at 2, County Court of Staffordshire, at Oldbury.—*Thomas Hanson*, Oldbury, Worcestershire, labourer, Sept. 20 at 2, County Court of Staffordshire, at Oldbury.—*Jeffery Barton*, Ashford, Kent, veterinary surgeon, Sept. 15 at 10, County Court of Kent, at Ashford.—*William Noble Paterson*, Tetford, Lincolnshire, surgeon, Sept. 18 at 11, County Court of Lincolnshire, at Horncastle.—*James Gilbert*, Balsall, Hampton-in-Arden, Warwickshire, farmer, Sept. 9 at 11, County Court of Warwickshire, at Solihull.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 19 at 10, before the CHIEF COMMISSIONER.

Thomas Arrowsmith Forrell, Craven-st., Strand, Middlesex, general commission agent.—*Joseph Brie*, Regent-street, Middlesex, agent.—*James English*, King-street, Spitalfields, Middlesex, dealer in building materials.

Sept. 19 at 10, before Mr. Commissioner LAW.

Thomas Jenner, Cleveland-street, near Foley-street, Fitzroy-square, Middlesex, jobbing undertaker.—*Lewis Dunbar*, North-street, Kennington-road, Surrey, not in any trade.

Adjourned.

James Charles Johns, West Thurloe-square, Brompton, Middlesex, seeking to obtain his livelihood by speculating on horse-racing.

Sept. 19 at 10, before Mr. Commissioner PHILLIPS.

Charles Gannell, Blackfriars-road, Surrey, out of business.—*Charles Evans Pritchett*, Park-street, Camberwell, Surrey, out of business.—*Charles Hasted*, Mansfield-street, King'sland-road, Middlesex, out of business.

Sept. 22 at 10, before the CHIEF COMMISSIONER.

Robert Evennett the elder, South-villa, Wandsworth-road, Surrey, out of business.—*John Dear*, Blackfriars-road, Surrey, baker.—*Rev. John Graham Packer*, Parsonage-house, Bethnal-green, Middlesex, incumbent of St. Peter's Church.

Sept. 22 at 10, before Mr. Commissioner LAW.

Josiah Harrison, South-terrace, Willow-walk, Bermondsey, Surrey, leatherseller.—*James Chaplin*, Broughton-place, Hackney-road, Middlesex, greengrocer.—*Frederick Teasdale*, Jockey's-fields, Gray's-inn, Middlesex, out of business.

Sept. 22 at 10, before Mr. Commissioner PHILLIPS.

James Ellis, Brunswich-place, Wyndham-road, Camberwell, Surrey, retailer of beer.—*Charles Fleay*, Sherbourne-street, Blandford-square, Regent's-park, Middlesex, dealer in furniture.—*John Stott* the younger, Hereford-terrace, De Beauvoir-road, King'sland, Middlesex, traveller for an oilman.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at YORK CASTLE, Sept. 22 at 10.

James Clegg, Birkby, near Huddersfield, out of business.—*William Ellis*, York, hatter.—*Joseph Bairstow*, Bradford, bobbin turner.—*Benjamin Illingworth*, Pudsey, near Leeds, clothier.—*Joseph Passon*, Leylands, Leeds, out of business.—*Samuel Brooke*, Little-town, near Leeds, blanket manufacturer.—*James Barker*, Bradford, stonemason.—*Geo. Green*, Knottingley, near Ferrybridge, master mariner.—*Jos. Kitchin*, Leeds, dealer in flour.—*George Clark Kitchin*, Leeds, wool-sorter.—*Wm. Booth*, Mexbrough, near Rotherham, farrier.—*Benjamin Foscroft*, Leeds, joiner.—*John Stonehouse*, Leeds, butcher.

MEETING.

John Onion, Dullingham, Cambridgeshire, wheelwright, Sept. 22 at 12, Thurgood & Sons, Saffron Walden, Essex, sp. aff.

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The Jurist

No. 766—Vol. XV. SEPTEMBER 13, 1851.

PRICE 1s.

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LONDON, SEPTEMBER 13, 1851.

In the leading morning journal of the 11th instant are contained the following very pertinent remarks on the system hitherto pursued in law reform. After noticing the consolidation of the criminal law, the writer proceeds:—

"But, turning our eyes to any other portion of our legal system, what a different scene do we behold! For every part of the field of equity we are without map or compass. The old landmarks have been removed, and no one believes that those which have been placed in their stead can remain for a year as now established. In the minds of the most enlightened of our lawyers a grave doubt has arisen as to the wisdom of the distinction between equity and law, and a very general belief is now entertained, that, before many years have elapsed, the whole existing system of our equity courts will be swept away, and one uniform procedure, and one general class of courts, endowed with all the powers of law and equity, will be adopted for the whole kingdom. If this anticipation be correct, then have we as yet done nothing in the way of settling either the substantive law or that of procedure. We have, indeed, unsettled nearly everything; but, beyond creating confusion, we have hardly advanced a step. Such, as regards equity, is the product of a quarter of a century's constant and unremitting toil and change.

"Again: in all that relates to the law of real property we seek in vain for certainty, or any settled and steady result. The old law, with its intricate, and tiresome, and expensive modes of proceeding, has long been utterly condemned. But though we are quite ready to condemn the old system, we are utterly unprepared with a substitute. We are all quite apt at finding fault. We are ready and able to pull down, but we are without a creative mind capable of constructing a systematic and practical code in place of that we desire to discard. We are, therefore, ever busy

at the labour of continuous *tinkering*. We pull down a little bit—we build up a little bit. What was originally sufficiently incongruous we render still more confused, and at length we have arrived at this happy result—no one part of the building agrees with or corresponds to any other. The learned and unlearned are alike at fault in this mighty maze of law, and the toss up of a halfpenny is a better guide than a learned counsel's opinion, inasmuch as it is far cheaper, and quite as likely to be correct.

"In one thing, however—but in one thing alone—do we appear to have been consistent and systematic. We have introduced the same degree of confusion into every portion of the law. The forms of procedure are not more settled than the law itself, and the Courts which administer the law are equally in a state of transition. If to-morrow all the proposals of the last Common-law Commission were adopted, everybody would instinctively feel that these changes would be but the harbingers of still greater alterations. The work of to-day lasts but for to-day; the unstable fabric is no sooner completed than it totters to its fall."

Against this perpetual "tinkering," as it is most fittingly called, we have frequently lifted up our voice in this journal. Nothing, indeed, can more seriously injure the cause of solid law reform, because it disgusts everybody—the Profession, who find that, take what pains they will, they never can keep au courant with the continual change; the public, because, finding no certainty, they become dissatisfied, and at length long for any code, however ill-considered, provided it be but fixed. At the common law the course of pleading, which was convulsed not many years ago, is now about to undergo a fresh convulsion, which, however, does not, on many points, at all emerge from the tinkering class. In equity, nothing is settled. Few men, experienced or inexperienced, can say with any certainty what form of proceeding they ought to adopt in the larger half of the cases that come before them; and in consequence, in order to shew the mischief of the patching system,



one has but to refer to two out of many of the practical difficulties arising out of it, viz. that which has been discussed in these pages in reference to the case of *Hobby v. Allen*, (ante, p. 214), and that of determining when a term ought to be assigned to attend, and when it ought to be allowed to drop. The result of this system of perpetual bit-by-bit alteration is, that the most sincere and competent law reformers become weary of the subject, and, instead of assisting in altering the law, oppose to alterations at least the dead weight of their apathy, if not the pressure of an active resistance.

To the Profession nothing in the way of the most revolutionary change could be so utterly prejudicial and harassing as the system of continual petty change. To a real lawyer, a man well saturated with the principles of the law, and understanding pleading and forms as the mere instruments of procedure, a thorough change, if such be necessary, would bring a certain amount of mental labour which he would have to undergo in order to master the new system; but that labour once undergone, he would still be a master of his art, and could advise and proceed with certainty and confidence. But when every year brings some fresh bit of alteration, founded on no principle, it passes human patience to be always unlearning and relearning, and human memory to recollect what is the ultimate result of the various and frequently conflicting changes.

PUBLIC GENERAL STATUTES.

14 & 15 VICTORIA.—SESSION 4.

CAP. I.

An Act to amend the Passengers Act, 1849.

[1st April, 1851.]

CAP. II.

An Act to authorise the Inclosure of certain Lands in Pursuance of the Sixth Annual Report of the Inclosure Commissioners.

[1st April, 1851.]

CAP. III.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year 1851.

[1st April, 1851.]

CAP. IV.

An Act to enable her Majesty to appoint a Vice-Chancellor in the Room of Sir James Wigram, resigned.

[1st April, 1851.]

CAP. V.

An Act for the Regulation of her Majesty's Royal Marine Forces while on Shore.

[11th April, 1851.]

CAP. VI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.

[11th April, 1851.]

CAP. VII.

An Act to amend an Act of the Parliament of Ireland of the twenty-fifth Year of King George III, for explaining and amending several Laws for the Encouragement of Agriculture, so far as relates to Leases for the Erection of Mills.

[11th April, 1851.]

CAP. VIII.

An Act to extend the Provisions of the Designs Act, 1850, and to give Protection from Efray to Persons exhibiting new Inventions in the Exhibition of the Works of Industry of all Nations in 1851.

[11th April, 1851.]

- Sect. 1. *Proprietors of new Inventions to be allowed to exhibit them without Prejudice to Letters-patent to be thereafter granted. Invention to be provisionally registered, and not to be used before granting of the Letters-patent.*
2. *Public Trial of agricultural or horticultural Implements, under the Direction of the Commissioners, not to prejudice Letters-patent.*
3. *Certificate of Invention to be granted for provisional Registration.*
4. *Certificate of Invention to be registered.*
5. *Description to be preserved, and Invention to be marked with the Words "provisionally registered."*
6. *Provisional Registration to confer same Benefits as under the Designs Act, 1850.*
7. *Letters-patent thereafter granted to be as valid as if Inventions were not registered or exhibited.*
8. *Proprietors of new and original Designs exhibited to be entitled to Benefits of Designs Acts, although Designs have been previously published elsewhere than in United Kingdom, if not previously publicly sold or used.*
9. *The Designs Act, 1850, and this Act to be construed as one Act.*
10. *Short title.*

Whereas it is expedient that such protection as hereinafter mentioned should be afforded to persons desirous of exhibiting new inventions in the Exhibition of the Works of Industry of all Nations in 1851: be it therefore enacted, &c., as follows:—

Sect. 1. Any new invention for which letters-patent might lawfully be granted may at any time during the year 1851, but not afterwards, be publicly exhibited in any place previously certified by the Lords of the Committee of Privy Council for Trade and Foreign Plantations to be a place of exhibition within the meaning of the Designs Act, 1850, without prejudice to the validity of any letters-patent to be thereafter, during the term of the provisional registration hereinafter mentioned, granted for such invention to the true and first inventor thereof: provided always, that such invention have previously to such public exhibition thereof been provisionally registered in manner hereinafter mentioned; and provided also, that the same be not otherwise publicly exhibited or used by or with the consent of the inventor prior to the granting of any such letters-patent as aforesaid, except as hereinafter mentioned: provided also, that no sale or transfer, or contract for sale or transfer, of the right to or benefit of any invention so provisionally registered, or of the rights required under this act, or to be acquired under any letters-patent to be granted for such invention, shall be deemed a use of such invention; and the publication of any account or description of such invention in any catalogue, paper, newspaper, periodical, or otherwise, shall not affect the validity of any letters-patent to be during such term granted as aforesaid.

2. The public trial or exhibition of any such invention as aforesaid, (being an invention for purposes of agriculture or horticulture), which shall be certified by the Lords of the said Committee to have taken place under the direction of the Commissioners for the Exhibition of 1851 for purposes connected with the exhibition thereof, in such place of public exhibition as aforesaid, whether such trial or exhibition take place before or after the passing of this act, shall not prevent the provisional registration of such invention under this act, nor prejudice or affect the validity of any letters-patent to be granted for such invention during such term as aforesaid.

3. Her Majesty's Attorney-General, or such person or persons as he may from time to time appoint to issue certificates under this act, on being furnished with a description in writing, signed by or on behalf of the person claiming to be the true and first inventor within this realm of any new invention intended to be exhibited in such place of public exhibition as aforesaid, and on being satisfied that such invention is proper

to be so exhibited, and that the description in writing so furnished describes the nature of the said invention so intended to be exhibited, and in what manner the same is to be performed, shall give a certificate in writing, under the hand or hands of such Attorney-General or the person or persons appointed as aforesaid, for the provisional registration of such invention.

4. The registrar of designs acting under the Designs Act, 1850, upon receiving such certificate, and being furnished with the name and place of address of the person by or on whose behalf the registration is desired, shall register such certificate, name, and place of address, and the invention to which any certificate so registered relates shall be deemed to be provisionally registered, and the registration thereof shall continue in force for the term of one year from the time of the same being so registered, and the registrar shall certify, under his hand and seal, that such invention has been provisionally registered, and the date of such registration, and the name and place of address of the person by or on whose behalf the registration was effected: provided always, that if any invention so provisionally registered be not actually exhibited in such place of public exhibition as aforesaid, or if the same invention be in use by others at the time of the said registration, or if the person by or on whose behalf the said registration has been effected be not the first and true inventor thereof, such registration shall be absolutely void.

5. The description in writing of any invention so provisionally registered shall be preserved in such manner and subject to such regulations as the Attorney-General shall direct, and any invention so provisionally registered, and exhibited at such place of public exhibition as aforesaid, shall have the words "provisionally registered" marked thereon or attached thereto, with the date of the said registration.

6. Such provisional registration as aforesaid shall during the term thereof confer on the inventor of such invention, with respect thereto, all the protection against piracy and other benefits which by the Designs Act, 1850, are conferred upon the proprietors of designs provisionally registered thereunder with respect to such designs; and so long as such provisional registration continues in force the penalties and provisions of the Designs Act, 1842, for preventing the piracy of designs shall extend to the acts, matters, and things next hereinafter mentioned, as fully and effectually as if those penalties and provisions had been re-enacted in this act, and expressly extended to such acts, matters, and things; that is to say, to the making, using, exercising, or vending the invention so provisionally registered, to the practising the same or any part thereof, to the counterfeiting, imitating, or resembling the same, to the making additions thereto or subtraction from the same, without the consent in writing of the person by or on whose behalf the said invention was so provisionally registered.

7. All letters-patent to be during the term of any such provisional registration granted in respect of any invention so provisionally registered shall, notwithstanding the registration thereof, and notwithstanding the exhibition thereof in such place of public exhibition or otherwise as aforesaid, be of the same validity as if such invention had not been so registered or exhibited; and it shall be lawful for the Lord High Chancellor, if he think fit, on the grant of any letters-patent to any inventor in respect of any invention provisionally registered under this act, to cause such letters-patent to be sealed as of the day of such provisional registration, and to bear date the day of such provisional registration, the act of the eighteenth year of King Henry VI or any other act notwithstanding.

8. Notwithstanding anything contained in the Designs Act, 1850, and the two acts therein referred to, and called the Designs Act, 1842, and the Designs Act, 1843, the protection intended to be by those acts extended to the proprietors of new and original designs shall be extended to the proprietors of all new and original designs which shall be provisionally registered and exhibited in such place of public exhibition as aforesaid, notwithstanding that such designs may have been previously published or applied elsewhere than in the United Kingdom of Great Britain and Ireland; provided that such design or any article to which the same has been applied have not been publicly sold or exposed for sale previously to such exhibition thereof as aforesaid.

9. All the provisions of the Designs Act, 1850, and the

provisions incorporated therewith, relating or applicable to the designs to be provisionally registered thereunder, or to the proprietors of such designs, except the provision for extending the term of any such provisional registration, shall, so far as the same are not repugnant to or inconsistent with the provisions of this act, apply to the inventions to be provisionally registered under this act, and to the inventors thereof; and the said Designs Act and this act shall be construed together as one act.

10. This act may be cited as The Protection of Inventions Act, 1851.

CAP. IX.

An Act for raising the Sum of Seventeen millions seven hundred and fifty-six thousand six hundred Pounds by Exchequer Bills, for the Service of the Year 1851.

[20th May, 1851.]

CAP. X.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

[20th May, 1851.]

CAP. XI.

An Act for the better Protection of Persons under the Care and Control of others as Apprentices or Servants; and to enable the Guardians and Overseers of the Poor to institute and conduct Prosecutions in certain Cases.

[20th May, 1851.]

Sect. 1. Persons refusing or neglecting to supply necessary food to apprentices or servants, or unlawfully assaulting them, guilty of a misdemeanour.

2. Costs of prosecution.

3. A register to be kept of young persons hired or taken as servants from any workhouse. Not to supersede obligation to keep register as required by 42 Geo. 3, c. 46, and 7 & 8 Vict. c. 101.

4. Young persons hired from workhouses or bound out as pauper apprentices to be visited periodically by officer of guardians or overseers.

5. As to young persons hired or bound to masters residing at a distance from unions or parishes.

6. Guardians and overseers authorised and required to prosecute in certain cases. Costs of prosecution.

7. Justice empowered to bind over officer of guardians or an overseer to prosecute.

8. Interpretation of terms.

9. Extent of act.

CAP. XII.

An Act to continue the Duties on Profits arising from Property, Professions, Trades, and Offices, and to amend the Act imposing the same.

[5th June, 1851.]

CAP. XIII.

An Act to regulate the Sale of Arsenic. [5th June, 1851.]

CAP. XIV.

An Act to amend the Law for the Registration of certain Persons commonly known as "Compound Householders," and to facilitate the Exercise by such Persons of their Right to vote in the Election of Borough Members to serve in Parliament.

[5th June, 1851.]

CAP. XV.

An Act to amend the Court of Chancery (Ireland) Regulation Act, 1850.

[3rd July, 1851.]

Sect. 1. Regulations and general orders made by the Lord Chancellor, but which have not been consented to by the Master of the Rolls, to be of the same force as if they had received such consent.

CAP. XVI.

An Act for the better Management and Control of the Highways in South Wales.

[3rd July, 1851.]

CAP. XVII.

An Act further to explain and amend an Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland. [3rd July, 1851.]

Sect. 1. The recited provision to extend to the Court of Exchequer Chamber in Ireland.

2. Recited act extended to Exchequer Chamber, and time for claims for compensation to officers of the Exchequer Chamber extended to six months after the passing of this act.

CAP. XVIII.

An Act to continue the Stamp Duties granted by an Act of the fifth and sixth Years of her present Majesty to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same. [3rd July, 1851.]

Sect. 1. *Duties continued for one Year.*

2. *Recited Acts and other Acts continued in Force.*

Most Gracious Sovereign,—Whereas by an act passed in the 5 & 6 Vict. [c. 82.] intitled "An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make Regulations for collecting and managing the same until the 10th Day of October, 1845," certain rates and duties denominated stamp duties were granted to your Majesty for a term therein limited and now expired; and by two acts, passed respectively in the 8 & 9 Vict. [c. 2.] and 11 & 12 Vict. [c. 9.] the same rates and duties were continued for two several and successive terms, the latter of which will expire on the 10th day of October, 1851: we, your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray your Majesty's public expenses, have freely and voluntarily resolved to continue the said rates and duties, and to grant the same to your Majesty for the period herein-after mentioned; and do most humbly beseech your Majesty that it may be enacted, and be it enacted, &c., that—

Sect. 1. All the several sums of money and duties and composition for duties granted by the said first-recited act, and not repealed by any subsequent act, and also all duties now payable in lieu or instead of any of the said duties which may have been so repealed, shall be and the same are hereby continued, and shall be charged, raised, levied, collected, and paid unto and for the use of her Majesty, her heirs and successors, for the term of one year, to commence on and to be computed from the 10th day of October, 1851.

2. The first-recited act, and all and every other act and acts now in force in relation to the duties and composition for duties which are continued by this act, shall severally be continued and remain in full force in all respects in relation to the said duties and composition for duties hereby continued and granted, and all and every the powers and authorities, rules, regulations, directions, penalties, forfeitures, clauses, matters, and things contained in the said acts or any of them, and in force as aforesaid, shall severally and respectively be duly observed, practised, applied, and put in execution in relation to the said duties and composition for duties hereby continued and granted, as well during the term herein limited as after the expiration thereof, for the charging, raising, levying, paying, accounting for, and securing of the said duties and composition for duties, and all arrears thereof, and for the preventing, detecting, and punishing of all frauds, forgeries, and other offences relating thereto, as fully and effectually to all intents and purposes as if the same powers, authorities, rules, regulations, directions, penalties, forfeitures, clauses, matters, and things were particularly repeated and re-enacted in the body of this act with reference to the said duties and composition for duties hereby granted.

CAP. XIX.

An Act for the better Prevention of Offences.

[July 3rd, 1851.]

Sect. 1. Any person found by night armed &c., with intent to break into any house and commit any felony therein, or having in his possession, without lawful excuse, any implements of housebreaking, or having his face disguised, or being found by night in any house with intent to commit any felony therein, shall be guilty of a misdemeanour.

2. Any person convicted of such misdemeanour after a previous conviction of felony or such misdemeanour, guilty of misdemeanour, &c. Form of indictment. Certificate of previous conviction.

3. Persons using chloroform, &c., in order to commit a felony, guilty of felony.

4. Persons inflicting grievous bodily harm guilty of a misdemeanour, and liable to three years' imprisonment. Not to repeal sect. 29 of 10 Geo. 4, c. 34.

5. On the trial of any indictment for feloniously cutting, &c., the jury may acquit of the felony, and convict of unlawfully cutting, &c.

6. Persons wilfully placing wood, &c. on railways, taking up rails, &c., turning machinery, or shewing signals, &c., with intent to commit injuries to railway or endanger the safety of persons, guilty of felony.

7. If any person shall cast any wood, &c. upon any railway carriage with intent to endanger the safety of any person therein, such person to be guilty of felony, &c.

8. Any person wilfully setting fire to any railway station, &c., guilty of felony.

9. Upon the trial of persons for subsequent offences under the 12 & 13 Vict. c. 11, and this act, the previous conviction not to be stated to the jury or given in evidence until after a verdict of guilty of the subsequent offence, unless the defendant gives evidence of good character.

10. Any person may apprehend persons committing offences against this act, and convey them before a justice.

11. Any person may apprehend persons committing indictable offences in the night, and convey them before a justice.

12. Any person assaulting a person entitled to apprehend him, to be guilty of a misdemeanour.

13. The night, in offences against this act, to be as in burglary.

14. Costs of prosecutions.

15. Nothing in this act to repeal 5 Geo. 4, c. 83.

16. Not to extend to Scotland.

CAP. XX.

An Act to extend the Remedies provided by the Renewable Leasehold Conversion Act, for the Recovery of Fee-farm Rents under that Act, to all other Fee-farm Rents and to other Rents in Ireland reserved upon Grants of Land in which the Grantors have no Reversion. [July 3rd, 1851.]

Sect. 1. Provisions of recited act (12 & 13 Vict. c. 105, ss. 20, 21) extended to fee-farm and other rents under leases for lives or for years, save as herein excepted.

CAP. XXI.

An Act to amend an Act of the sixth and seventh Years of Her Majesty, to amend an Act of the nineteenth and twentieth Years of King George III for empowering Grand Juries in Ireland to present Bridges, and Tolls to be paid for passing the same, in certain Cases. [3rd July, 1851.]

CAP. XXII.

An Act to continue the Survey of Great Britain, Berwick-upon-Tweed, and the Isle of Man. [24th July, 1851.]

CAP. XXIII.

An Act to authorise for a further Period the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries and Employment of the Poor. [24th July, 1851.]

CAP. XXIV.

An Act to amend the Acts for the granting of Sites for Schools. [24th July, 1851.]

CAP. XXV.

An Act to improve the Law of Landlord and Tenant in Relation to Emblements, to growing Crops seized in Execution, and to Agricultural Tenants' Fixtures. [24th July, 1851.]

Sect. 1. On determination of leases or tenancies under tenant for life, &c., instead of emblements, tenant to hold until expiration of current year, &c.

2. Growing crops seized and sold under execution to be liable for accruing rent.
3. Tenant may remove buildings and fixtures erected by him on farms, unless landlord elect to take to them.
4. Tenant quitting, leaving tithe rent-charge unpaid, landlord, &c. may pay the same, and recover from the first-named tenant as if it were a simple contract debt.
5. Act not to extend to Scotland.

CAP. XXVI.

An Act to amend the Acts relating to the British White Her-
ring Fishery. [24th July, 1851.]

CAP. XXVII.

An Act to amend certain Acts for the Improvement of Prisons
and Prison Discipline in Scotland. [24th July, 1851.]

CAP. XXVIII.

An Act for the well-ordering of Common Lodging Houses.
[24th July, 1851.]

CAP. XXIX.

An Act for further continuing certain temporary Provisions
concerning Ecclesiastical Jurisdiction in England.
[24th July, 1851.]

Whereas an act was passed in the session holden in the 10 & 11 Vict. [c. 98.] intitled "An Act to amend the Law as to Ecclesiastical Jurisdiction in England," by which it was enacted, that certain of the provisions therein contained should continue until the 1st day of August, 1848, and, if Parliament were then sitting, until the end of the then session of Parliament; and such provisions have, by an act passed in the 13 & 14 Vict. [c. 47.] been continued until the 1st day of August, 1851, and to the end of the then next session of Parliament: and whereas it is expedient that the said provisions should be further continued: be it therefore enacted, &c., that the said provisions of the said firstly-recited act shall continue until the 1st day of August, 1852, and to the end of the then next session of Parliament.

CAP. XXX.

An Act to continue an Act for authorising the Application of
Highway Rates to Turnpike-roads. [24th July, 1851.]

CAP. XXXI.

An Act to continue an Act to amend the Laws relating to Loan
Societies. [24th July, 1851.]

Whereas an act was passed in the 3 & 4 Vict. [c. 110.] intitled "An Act to amend the Laws relating to Loan Societies," which act has been continued by sundry acts until the 1st day of October, 1851, and to the end of the then next session of Parliament; and it is expedient that the same should be further continued: be it enacted, &c., that the said act shall be further continued to the 1st day of October, 1852, and to the end of the then next session of Parliament.

(To be continued).

London Gazettes.

TUESDAY, SEPTEMBER 9.

BANKRUPTS.

THOMAS HARRISON, Adde-street, London, agent and trimming manufacturer, Sept. 19 at half-past 11, and Oct. 24 at 2, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Watson & Roscoe, 27, Worship-st., Finsbury.—Petition dated Sept. 5.

EDMUND SHEFFIELD, Tomlin-terrace, Crisp-street, Poplar, Middlesex, builder, Sept. 19 at 1, and Oct. 25 at 2, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Baker & Co., 34, Lime-street, City.—Petition dated Aug. 26.

JOHN LANE, High-street, Marylebone, Middlesex, tailor, dealer and chapman, Sept. 19 at 11, and Oct. 25 at 2, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Cox, Pinner's-hall, Old Broad-street, London.—Petition dated Sept. 8.

HENRY GEORGE WOOLCOTT, Everitt-street, Russell-square, Middlesex, fringe, tassell, and trimming manufacturer, dealer and chapman, Sept. 19 at 2, and Oct. 25 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Baylis & Drewe, 22, Redcross-street.—Petition dated Aug. 29.

JOHN ROBERT TAYLOR, Chancery-lane and Red Lion-square, Middlesex, and Cannon-row, Westminster, stationer, dealer and chapman, Sept. 26 at half-past 12, and Oct. 25 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Church & Son, 9, Bedford-row.—Petition dated Sept. 4.

WILLIAM HENRY OSBORN, Ebury-street, Fimlico, Middlesex, wine merchant, Sept. 13 at half-past 1, and Nov. 1 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Bolder, 44, Craven-street, Strand.—Petition dated Aug. 26.

JOHN WATSON, Skipton, Yorkshire, linendraper, dealer and chapman, Sept. 26 and Oct. 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Blackburn, Leeds; Jones, 15, Size-lane, London.—Petition dated Aug. 30.

JAMES CRITCHLEY HOLT, Halifax, Yorkshire, inn-keeper, dealer and chapman, Sept. 26 and Oct. 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Higham, Brighouse; Bond & Barwick, Leeds.—Petition dated Aug. 27.

JOHN FORMAN and ROBERT FROW, Kingston-upon-Hull, joiners and builders, (carrying on business under the style or firm of Forman & Frow), Sept. 24 and Oct. 22 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, (and not Leeds, as advertised in last Friday's Gazette); Off. Ass. Carrick; Sols. Thorney & Son, or Lightfoot & Co., Kingston-upon-Hull.—Petition dated Sept. 1.

THOMAS MILWARD, late of Uffculme, Devonshire, but now of Gower-street, Middlesex, miller, dealer and chapman, Sept. 17 and Oct. 16 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Terrell, Exeter.—Petition filed Sept. 5.

GEORGE NICHOLAS MANZAVINO, Manchester, merchant, (carrying on business with Emanuel Nicholas Manzavino and Demetrio Calvocoressi, of Constantinople, under the style or firm of Manzavino & Calvocoressi), Sept. 22 and Nov. 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed Sept. 3.

GEORGE DANNETT ROBINSON, Manchester, coach builder and shoe dealer, dealer and chapman, Sept. 24 and Nov. 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. De Lara & Fogg, Manchester.—Petition filed Sept. 2.

JOHN LILLEY and ALFRED ASHMALL, Liverpool, merchants, dealers and chapmen, (trading under the style or firm of John Lilley & Co.), Sept. 17 and Oct. 10 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Carson & Ellis, Liverpool; Brady & Son, 1, Staple-inn, London.—Petition filed Sept. 2.

MEETINGS.

Robert Brown, Howden, Yorkshire, tailor, Sept. 24 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—Arthur Youle Barrett, Horncastle, Lincolnshire, engineer, Sept. 24 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Oct. 1 at half-past 12, div.—Alexander M. Paterson, John Walker, James Boydell, and Charles B. T. Roper, Oak Farm Works, Kingswinford, Staffordshire, ironfounders, Oct. 11 at 10, District Court of Bankruptcy, Birmingham, aud. ac.; Oct. 13 at 10, div. sep. est. of James Boydell and Charles B. T. Roper.—W. Smith, Wm. Sowden, and John Sowden, Warrington, Lancashire, cotton manufacturers, Oct. 2 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Thos. Irlam and Vincent Wanostrucht, Liverpool, brokers, Oct. 2 at 11, District Court of Bankruptcy, Liverpool.—Thomas Edwards, Liverpool, basket manufacturer, Oct. 2 at 11, District Court of Bankruptcy, Liverpool.—John Nurthing Bateson, Haworth-cross, Rochdale, Lancashire, cotton spin-

ner, Oct. 1 at 12, District Court of Bankruptcy, Manchester.—*Samuel Jowle and John Jowle*, Macclesfield and Rainow, Cheshire, ribbon manufacturers, Oct. 1 at 12, District Court of Bankruptcy, Manchester.—*Sydenham V. Burge*, Taunton, Somersetshire, saddler, Oct. 2 at 1, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

Edmund Nicholson, York, tailor.—*Wm. Hamley*, Bristol, builder.—*Thomas Slater*, Cheetham, and *Joshua Paton*, Broughton, Lancashire, cotton spinners.

SCOTCH SEQUESTRATION.

George B. Leech, deceased, Inventory, writer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Sutherland, North Shields, Northumberland, hair-dresser, Sept. 26 at half-past 10, County Court of Northumberland, at North Shields.—*P. Cowey*, Tynemouth, Northumberland, confectioner, Sept. 26 at half-past 10, County Court of Northumberland, at North Shields.—*John Turpin*, Gateshead, Durham, licensed victualler, Sept. 29 at 10, County Court of Durham, at Gateshead.—*Walter Cary*, Cheltenham, Gloucestershire, surgeon, Sept. 23 at 10, County Court of Gloucestershire, at Cheltenham.—*William Helpe*, Corsham, Wiltshire, not in any business, Sept. 18 at half-past 11, County Court of Wiltshire, at Chippenham.—*Wm. Ayers*, Earl Stonham, Suffolk, carpenter, Sept. 26 at 10, County Court of Suffolk, at Stowmarket.—*George H. Rudland*, Halesworth, Suffolk, chemist, Sept. 18 at 12, County Court of Suffolk, at Halesworth.—*Thomas Goldsmith*, Woodbridge, Suffolk, grocer, Sept. 20 at 10, County Court of Suffolk, at Woodbridge.—*Edmund Bannister*, East Cowes, Isle of Wight, Southampton, grocer, Sept. 25 at 10, County Court of Hampshire, at Newport.—*Henry Brown*, Ryde, Isle of Wight, Southampton, gardener, Sept. 25 at 10, County Court of Hampshire, at Newport.—*David Graham*, Hetheragill, Cumberland, Sept. 26 at 10, County Court of Cumberland, at Brampton.—*William Sims*, Altemore-green, Staffordshire, labourer, Sept. 16 at 10, County Court of Staffordshire, at Stafford.—*James Chilton*, Stone, Staffordshire, shoe manufacturer, Sept. 17 at 10, County Court of Yorkshire, at Stone.—*Charles Barker*, Manchester, bleacher, Sept. 19 at 12, County Court of Lancashire, at Manchester.—*George Killard*, Yatton Keynell, Wiltshire, licensed victualler, Sept. 18 at half-past 11, County Court of Wiltshire, at Chippenham.

Saturday, Sept. 6.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. Marchant Fuggle, Goudhurst, Kent, carpenter, No. 73,987 C.; *Benjamin Wickham*, assignee.—*John Murray*, Sunderland, Durham, ship broker, No. 73,980 C.; *J. Iveson* and *John Sidgwick*, assignees.—*Wm. Harrison*, Hartlepool, Durham, draper, No. 73,942 C.; *Thomas Wilson* and *Wm. Mackey*, assignees.—*Wm. H. Pedmore*, Balsall-leath, Worcestershire, out of business, No. 73,831 C.; *Joseph William Harte*, assignee.—*Robert Moseley*, Huddersfield, Yorkshire, corn dealer, No. 73,986 C.; *James Sheard*, assignee.—*F. H. B. Phillips*, Plymouth, Devonshire, lieutenant in the Royal Artillery, No. 73,541 C.; *D. P. Burnet*, assignee.—*Joseph Mawson*, Bolton-upon-Dearne, near Rotherham, Yorkshire, saddler, No. 74,073 C.; *Jonathan Allison*, assignee.—*John Blagbrough*, Northwram, near Halifax, Yorkshire, coal-owner, No. 74,022 C.; *Benjamin Reynolds*, assignee.—*Matthew Fisher*, Market Rasen, Lincolnshire, carpenter, No. 73,854 C.; *George Saffery*, assignee.

Saturday, Sept. 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Benj. Hope, Wine-office-court, London, attorney-at-law: in the Debtors Prison for London and Middlesex.—*J. Powell*, James-street, Commercial-road, Peckham, Surrey, carpenter: in the Gaol of Surrey.—*Wm. Blane*, Regent-road, Rhodeswell-road, Stepney, Middlesex, greengrocer: in the Debtors Prison for London and Middlesex.—*Robt. Nicholson*, Alpin

Villa, Ladbrook-road, Bayswater, Middlesex, post-office agent at Rotterdam: in the Queen's Prison.—*John Francis Walter*, Williams-street, Caledonian-road, Islington, Middlesex, clerk to the Great Northern Railway Company: in the Debtors Prison for London and Middlesex.—*Jas. D. Malcolm*, Leicester-square, Middlesex, lecturer: in the Debtors Prison for London and Middlesex.—*James R. Wilks*, Whitefriars-st., London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Charles Joseph*, Welbeck-street, Cavendish-square, Middlesex, artist: in the Debtors Prison for London and Middlesex.—*Henry Smith*, Cancel-street, Walworth-rd., Surrey, vocalist: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

James Harradine, Bridge-street, Westminster-bridge-road, Surrey, beer-shop keeper: in the Queen's Prison.

(On their own Petitions).

Geo. Clark Kitchin, Leeds, Yorkshire, wool sorter: in the Gaol of York.—*John Hooper Davies*, Merthyr Tydvil, Glamorganshire, grocer: in the Gaol of Cardiff.—*John Hyde*, Highfield, Eccleall Bierlow, Sheffield, Yorkshire, estate agent: in the Gaol of York.—*Evan Jones*, Barton, Cheshire, licensed victualler: in the Gaol of Chester.—*Mark Kirk*, Nottingham, bricklayer: in the Gaol of Nottingham.—*James M'Coey*, Bristol, grocer: in the Gaol of Bristol.—*Richard Warham* the younger, Newcastle-upon-Tyne, ship broker's clerk: in the Gaol of Newcastle-upon-Tyne.—*J. Reese*, Oldbury, Worcestershire, tube manufacturer: in the Gaol of Stafford.—*Joseph M'Kay*, Newcastle-upon-Tyne, beer-house keeper: in the Gaol of Newcastle-upon-Tyne.—*Charles Byrnes*, Hulme, Manchester, beer-seller: in the Gaol of Lancaster.—*T. M. Harris*, Liverpool, merchant: in the Gaol of Lancaster.—*R. Stockey*, Ashton-in-the-Willows, near Warrington, Lancashire, blacksmith: in the Gaol of Lancaster.—*Chas. W. Daniels*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Thomas Gould*, Cheetham, Manchester, ale dealer: in the Gaol of Lancaster.—*Thos. Williamson*, Manchester, sawyer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 23 at 11, before the CHIEF COMMISSIONER.

Stephen George Burridge, Arnold's-place, Francis-street, Newton, Surrey, tailor.—*Edward Richards*, Hyde-terrace, Battersea, Surrey, not in any business.—*Philip Allworth Carter*, London-street, Paddington, Middlesex, foreman to a horse dealer.

Sept. 23 at 10, before Mr. Commissioner LAW.

Thomas Fuller, Chatham-place, Windmill-lane, Camberwell, Surrey, salesman to a leatherseller.—*Joseph Stammers*, New Church-street, Paddington, Middlesex, comedian.—*William Woods* the younger, Basinghall-street, London, commission agent.

Sept. 23 at 11, before Mr. Commissioner PHILLIPS.

Edward Hill Hodges, Claremont-square, Pentonville-hill, Middlesex, out of business.—*William Holmes*, Fish-street-hill, London, zinc worker.—*John Race*, Margaret-terrace, Paddington-green, Middlesex, out of business.

Sept. 25 at 11, before the CHIEF COMMISSIONER.

Daniel Rogers, Bethnal-green-road, Middlesex, timber merchant.—*James George King*, Henry-place, Hoxton Old-town, Middlesex, out of business.—*Rosetta Magdalena Lawford*, widow, Colcroft-terrace, New-cut, Lambeth, Surrey, ironmonger.

Sept. 25 at 10, before Mr. Commissioner LAW.

Thomas Pearce, Lower Belgrave-place, Fimlico, Middlesex, licensed retailer of beer.—*Richard Workman*, Palace-street, Fimlico, Middlesex, shoemaker.—*Samuel Stables*, Wellington-street, Victoria-park, Bethnal-green, Middlesex, out of business.

Sept. 25 at 11, before Mr. Commissioner PHILLIPS.

Mary Ann Hancock, spinster, St. James's-street, Piccadilly, Middlesex, lodging-house keeper.—*Frederick Stuart*, Shawfield-street, King's-road, Chelsea, Middlesex, clerk to a plate-glass company.—*George Bristow*, Clare-street, Clare-market, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Nottinghamshire, at NOTTINGHAM, Sept. 25 at 9.

William Hallam, New Lenton, farm labourer.

At the County Court of Northumberland, at NEWCASTLE, Sept. 25 at 10.

Abraham Levy, Newcastle-upon-Tyne, dealer in clothes.—Joseph M'Kay, Newcastle-upon-Tyne, beer-house keeper.—Richard Warham the younger, Newcastle-upon-Tyne, shipbroker's clerk.—John Inness, Newcastle-upon-Tyne, plane maker.

Adjourned Case.

Richard Ayre, Newcastle-upon-Tyne, licensed victualler.

At the County Court of Cumberland, at CARLISLE, Sept. 30 at 9.

Adjourned Case.

Joseph Atkinson, Rockliffe, out of business.

INSOLVENT DEBTOR'S DIVIDEND.

Rich. Webster, Rose-vale, Everton, Liverpool, cart owner: 5s. 3d. in the pound, Banner's, Liverpool.

FRIDAY, SEPTEMBER 12.

BANKRUPTS.

DAVID FRENCH and **ARCHIBALD SANDS**, Coal Exchange, London, and Chatham, Kent, coal factors, coal merchants, dealers and chapmen, (trading under the style or firm of David French & Sands), Oct. 2 at 1, and Nov. 8 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lawrence & Co., 14, Old Jewry-chambers, London.—Petition dated Sept. 10.

SAMUEL CANNOCK the younger, formerly of Cheltenham-place, Westminster-road, Surrey, but now of Kent-terrace, Great College-street, Camden-town, Middlesex, tobacconist, dealer and chapman, Sept. 20 at 2, and Oct. 23 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Carter, Gloucester; Rogerson & Ford, 50, Lincoln's-inn-fields.—Petition dated Sept. 8.

EDWARD LACEY, Birmingham, glass dealer and looking-glass manufacturer, dealer and chapman, Sept. 25 and Oct. 14 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Hayward, Birmingham.—Petition dated Sept. 5.

MATTHEW LISTER, Slad Mills, Painswick, Gloucestershire, clothier, Sept. 25 and Oct. 28 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acreman; Sol. Kearsey, Stroud, Gloucestershire.—Petition dated Sept. 6.

JOHN BEACH, Bradford, Yorkshire, apothecary, dealer and chapman, Sept. 25 and Oct. 20 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Terry & Watson, Bradford; Bond & Barwick, Leeds.—Petition dated Sept. 8.

THOMAS HURST, Warrington, Lancashire, printer, stationer, and bookbinder, dealer and chapman, Sept. 22 and Nov. 4 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Cobbett, Manchester; Ford, 50, Lincoln's-inn-fields, London.—Petition filed Sept. 3.

SAMUEL WALKER, Little Lever, Lancashire, dyer and shopkeeper, Sept. 26 and Nov. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sals & Co., Manchester.—Petition filed Sept. 8.

MEETINGS.

James Murray, Gresham-st., London, woollen warehouseman, Sept. 26 at 12, Court of Bankruptcy, London, last ex.—Wm. Williams, Harwich, Essex, contractor, Sept. 26 at 11, Court of Bankruptcy, London, last ex.—Joseph Sowerby, Oxford-street, Middlesex, silk mercer, Oct. 1 at 12, Court of Bankruptcy, London, and ac.—S. Cockerill, Northampton, draper, Oct. 1 at 11, Court of Bankruptcy, London, and ac.; Oct. 7 at 11, div.—Aaron Croxfield, Ty Mawr, Lauwenne, Glamorganshire, coal miner, and Newport, Monmouthshire, common brewer, Oct. 10 at 11, District Court of Bankruptcy, Bristol, and ac.—W. Smith, W. Sowden, and John Sowden, Warrington, Lancashire, cotton manufacturers, Sept. 25 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of W. Smith.—W. Mooney and T. Wilson, Liverpool, corn mer-

chants, Sept. 25 at 11, District Court of Bankruptcy, Liverpool, and ac.—Henry Blakesley, Castle Bromwich, Warwickshire, brick dealer, Oct. 14 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—Jas. Merrell, Pershore, Worcestershire, cattle dealer, Oct. 14 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—John Best the younger, Dudley, Worcestershire, grocer, Oct. 14 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—Joseph Price and John Lavender, Birmingham, paper dealers, Oct. 14 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.; Oct. 21 at half-past 11, div.—William Kendall and John Standish, Leeds, Yorkshire, grocers, Sept. 25 at 11, District Court of Bankruptcy, Leeds, and ac.—Geo. Wilson, Wakefield, Yorkshire, draper, Sept. 25 at 11, District Court of Bankruptcy, Leeds, and ac.—Richard Goody and Wm. Edward M'Kee, Kingston-upon-Hull, millers, Sept. 24 at 11, District Court of Bankruptcy, Kingston-upon-Hull, and ac.—Wm. Steane, Wellingborough, Northamptonshire, grocer, Oct. 2 at 1, Court of Bankruptcy, London, div.—H. M. Waller, Foulsham, Norfolk, merchant, Oct. 8 at half-past 12, Court of Bankruptcy, London, div.—H. Marten, Lewes, Sussex, draper, Oct. 7 at 2, Court of Bankruptcy, London, div.—T. J. Sutton, Scarborough, Yorkshire, master mariner, Oct. 6 at half-past 1, Court of Bankruptcy, London, div.—Wm. Fincher and Bros. Fincher, Ivy-bridge, Devonshire, paper manufacturers, Oct. 8 at 1, Court of Bankruptcy, London, fin. div.—Wm. S. Brown the elder and Wm. S. Brown the younger, Broad-street, Ratcliffe, Middlesex, sail makers, Oct. 6 at 2, Court of Bankruptcy, London, div.—J. Barber, Eaton Socon, Bedfordshire, builder, Oct. 6 at 2, Court of Bankruptcy, London, div.—Thomas Norton Brown, Fetterlane, pawnbroker, and Throgmorton-street, London, stockbroker, Oct. 7 at 2, Court of Bankruptcy, London, div.—John Wm. Creed, Tilbury Fort, Essex, innkeeper, Oct. 7 at half-past 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William S. Meryweather, West Ham, Essex, brickmaker, Oct. 6 at 1, Court of Bankruptcy, London.—Charles Johns, Great Queen-street, Lincoln's-inn-fields, and Kirby-street, Hatton-garden, Middlesex, fixture dealer, Oct. 7 at 11, Court of Bankruptcy, London.—Chas. Fred. Thomas, Bristol, ship broker, Oct. 13 at 11, District Court of Bankruptcy, Bristol.—Jonathan Chew, Manchester, stuff manufacturer, Oct. 3 at 12, District Court of Bankruptcy, Manchester.—Jas. Teece and Thomas Peate, Oswestry, Shropshire, drapers, Oct. 7 at half-past 11, District Court of Bankruptcy, Birmingham.—T. J. King, Stourport, Worcestershire, innkeeper, Oct. 14 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Dalton, Joseph Burn, and Robert Turpin, Newcastle-upon-Tyne, earthenware manufacturers.—Geo. Smellie, High-st., Shadwell, Middlesex, silversmith.—Robert Peach, Thorney, Isle of Ely, Cambridgeshire, butcher.—Richard Clarke Pauling, Great Percy-street, Pentonville, Middlesex, railway contractor.

PRISON ASSUMED.

Henry George Harrison, King's-road, Hoxton Old-town, Middlesex, wheelwright.

SECTOR SEQUESTRATIONS.

Adam Gentles, Falkirk, carrier.—Peter Kinmond & Sons, Dundee, merchants.—Wm. Smith, Inverness, grocer.—Jas. Main, Edinburgh, bootmaker.—John Boyd, Dundee, shoemaker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Boyce, King's Lynn, Norfolk, labourer, Sept. 24 at 4, County Court of Norfolk, at King's Lynn.—William Wood, Lydd, Kent, baker, Oct. 24 at 11, County Court of Kent, at New Romney.—Walter Slater, Brighton, Sussex, watchmaker, Sept. 26 at 12, County Court of Sussex, at Brighton.—Isaac Craven, Bradford, Yorkshire, cabinet maker, Sept. 23 at 11, County Court of Yorkshire, at Bradford.—J. Dyson, Meltham, Yorkshire, manufacturer of woollen cloth, Oct. 3 at 10, County Court of Yorkshire, at Huddersfield.—J. Shere,

Dudley, Worcestershire, miner, Sept. 25 at 12, County Court of Worcestershire, at Dudley.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 26 at 10, before the CHIEF COMMISSIONER.

Edward Cole, White Hart-court, Castle-street, Leicester-square, Middlesex, portmanteau maker.—Charles Lipscomb, Leatherhead, Surrey, labourer.—John James Cronin, Charles-st., Manchester-square, Middlesex, professor of music.

Sept. 26 at 10, before Mr. Commissioner LAW.

Thomas Wilson Richardson, Little Charlotte-st., Blackfriars-road, Surrey, out of business.—George Strutt, Canterbury-place, Walworth, Surrey, dealer in building materials.—Wm. Bingham, Duke-street, St. James's, Middlesex, in no business.

Sept. 26 at 10, before Mr. Commissioner PHILLIPS.

Peter Thirion, Bow-churchyard, London, out of business.—John Wright, High-street, Borough, Southwark, Surrey, dealer in marine stores.—Charles Wheeler Heiden, Whipcross, Walthamstow, Essex, schoolmaster.

Sept. 29 at 10, before the CHIEF COMMISSIONER.

James Kerlake the younger, Brunswick-street, Stamford-street, Blackfriars-road, Surrey, foreman to the Brunswick Saw-mills.—John Stedman, Walcot-place, London-fields, Hackney, Middlesex, commission agent.—Arthur Henry Powell, Crescent-terrace, Millbank, Westminster, Middlesex, gentleman.

Sept. 29 at 10, before Mr. Commissioner LAW.

John Wicks Woods, Deverell-street, Dover-road, Newington, Surrey, woollendrapier.—George Parkinson, Wapping-wall, Shadwell, Middlesex, tailor.—Hem. Colwell the younger, Shoe-lane, Farringdon-market, London, truss maker.

Sept. 29 at 10, before Mr. Commissioner PHILLIPS.

William Falconer Walker, Church-street, Kensington, Middlesex, out of business.—James Claudius Heraud, Hope-cottage, White Hart-lane, Tottenham, Middlesex, law stationer.—Pierce O'Brien, Havil-street, Southampton-street, Camberwell, Surrey, beer-shop keeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Hampshire, at WINCHESTER, Sept. 26.

William Oliver, Portsea, architect.

At the County Court of Lancashire, at LANCASTER, Sept. 26 at 11.

William James Taylor, Lancaster, attorney-at-law.—Luke Nolan, Liverpool, potato dealer.—Wm. Mercer, Liverpool, commission agent.—John Widdall, Oldham, out of business.—James Bedale, Manchester, general dealer.—Daniel Clough, Oldham, bobbin maker.—Thomas Gould, Rusholme, Manchester, dealer in ale.—Richard Stockley, Ashton-in-the-Willows, near Warrington, out of business.—Robert Bardeley, Oldham, out of business.—John Crampton, Salford, butcher.—Thomas Mantering Harris, Liverpool, merchant.—Chas. Byrnes, Manchester, beerseller.—John Fleming the younger, Chorlton-upon-Medlock, out of business.—Charles Walker Daniels, Hulme, retail dealer in ale.—Thomas Hall Hunt, Liverpool, licensed victualler.—Richard Smethells, Elswick, near Garstang, out of business.—Thomas Williamson, Manchester, out of business.—James Balmer, Liverpool, chemist.—Richard Osbourne, Rochdale, tailor.—James Marr, Lancaster, out of business.—Wm. Bates, Ardwick, Manchester, block cutter.—John Wright, Blackburn, out of business.—John Hadfield, Manchester, grocer.—John Dean, Manchester, grocer.—Henry Crockwell, Manchester, commission agent.

At the County Court of Hertfordshire, at HERTFORD, Sept. 29.

Thomas Wans, Bushey, music teacher.

At the County Court of Gloucestershire, at BRISTOL, Oct. 1 at 11.

James M'Coey, Bristol, out of business.

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COUNTY COURTS.

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LONDON, SEPTEMBER 20, 1851.

THE new Evidence Act will probably have a very extensive effect in drawing into courts of law, a considerable portion of the business of equity. Whether this was or not the covert intention of the Legislature, is, of course, mere speculation; but that the effect is likely to be so, will be shewn by a little consideration of the 2nd and 6th clauses. (See ante, p. 283). At first sight, it might be thought that the 2nd clause has nothing to do with the question, and that the 6th clause will only put an end to bills of discovery properly so called; that is, bills by which no equitable relief is sought, but only discovery in aid of an action at law. But, as the wording of the 6th clause is to the effect that documents may be inspected wherever discovery would be obtainable in equity, the extent of its operation is much wider. And the effect of the two clauses will be, that wherever an action at law will lie, and wherever discovery might before have been obtained in equity, all the discovery of every kind that could have been obtained in equity, may now be had at law. Now, in a vast number of cases, bills are filed in equity principally for the discovery, and only collaterally for the relief consequent in equity upon that discovery. For though the discovery would suffice, if obtainable at law, to put the party in a position to make out his case then, yet, as such discovery was not obtainable, and for that, it was necessary to come into equity, it was generally most convenient, having once drawn the case into equity at all, to keep it there. Thus, when an action was brought upon a bill of exchange, and the defence was, that it was fraudulently obtained, a bill in equity, being most frequently necessary to obtain discovery from the holder, was made a bill for relief, as well in order to restrain the action, as to obtain the delivery up of the note. So, if it was expected that the fact of infringement in a case of copyright or patent right, or of practising any secret process in breach of contract or confidence, could only be proved by obtaining discovery from the defendant, the plaintiff made his bill a bill for the relief that he might collaterally wish, although he would not, perhaps, have filed a bill for that alone, if he

could have proved his case at law. But in all these cases it is manifest, that if an action at law would lie, a bill would lie also, if the plaintiff chose to take that course; and therefore, under the recent statute, the party against whom such bill would lie, not only may be examined, but must give inspection of all his documents. Such cases, then, will, in all probability, pass out of equity into the courts of common law, except when some purely equitable relief, such as the preservation of the property pending the litigation, is a principal object.

There is another very extensive head, of hitherto exclusively equitable jurisdiction, which seems to us likely to be touched by the statute in question. We mean cases of breach of trust of personality, for which it is not at all clear that an action at law will not lie. The commonly prevailing notion, that at law trusts are not recognised, has, we apprehend, no strictly legal foundation, as applied to trusts of personality, but is confined to trusts of realty, where, no doubt, the common law does not look beyond the legal estate, and cannot interfere, because to do so would be, in effect, to eject the legal owner of the land. But a trust of personality is quite a different thing. There the relation between the trustee and cestui que trust is not merely that of legal owner and equitable owner, but of contract—contract, on the part of the trustee, to do certain things—that is, to pay to the cestui que trust according to the particular terms of the instrument. If a Court of law were, on an action against a trustee of stock for not paying to a cestui que trust what was due to him, to give a judgment for damages against the trustee, it would not be at all interfering with his legal right, but simply punishing him, according to its own course, for breach of his contract. The reason why such actions have not been attempted is, we apprehend, firstly, that, equity having always administered trusts from a time when there were scarcely such things as trusts, except of land, the very word “trust” has had a sort of magical effect on the minds of lawyers, excluding the idea of common-law jurisdiction; and, secondly, that, as in nearly all such cases the risk of proceeding without discovery from the defendant would be very great, practically there has been no inducement

to attempt bringing such cases within the jurisdiction of Courts of common law. But now that a defendant may be examined and ordered to produce his documents, if discovery could be obtained by bill, the only question would be, whether an action will lie; for, beyond all question, if an action will lie, a bill would lie also; and we shall, therefore, not be in the least surprised to see the experiment of such an action tried before long.

If the experiment of such an action should be successfully tried, it is difficult to foresee to what extent it may affect the business of courts of equity; probably not to so great a degree as might at first sight be expected, because, in the majority of the cases of breach of trusts that actually do come into equity, complicated accounts are to be unravelled, and interlocutory relief, before the cause can be heard, of a kind only obtainable in equity, is required. Still, there are many cases where nothing whatever is required, except repaying a specific sum of money, and the only difficulty is proof of the misapplication. Such cases would probably go to law. A more material consequence of the establishment of such a jurisdiction at common law would be the result upon county courts, to which it would give at once jurisdiction in cases of breach of trust of personality when the sum claimed does not exceed 50*l*.

PUBLIC GENERAL STATUTES.

14 & 15 VICTORIA.—SESSION 4.

(Continued from p. 317).

CAP. XXXII.

An Act to suspend the making of Lists and the Ballots and Inrolments for the Militia of the United Kingdom.
[24th July, 1851.]

CAP. XXXIII.

An Act to enlarge the Period allowed for compounding for Assessed Taxes.
[24th July, 1851.]

CAP. XXXIV.

An Act to encourage the Establishment of Lodging Houses for the Labouring Classes.
[24th July, 1851.]

CAP. XXXV.

An Act to extend the Benefits of certain Provisions of the General Merchant Seamen's Act relating to Apprentices bound to the Sea Service to Apprentices bound to the Sea Service by Boards of Guardians of the Poor in Ireland, and to enable such Guardians to place out Boys in the Naval Service.
[24th July, 1851.]

CAP. XXXVI.

An Act to repeal the Duties payable on Dwelling-houses according to the Number of Windows or Lights, and to grant in Lieu thereof other Duties on Inhabited Houses according to their annual Value.
[24th July, 1851.]

CAP. XXXVII.

An Act to continue certain Turnpike Acts in Great Britain.
[24th July, 1851.]

CAP. XXXVIII.

An Act to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls.
[24th July, 1851.]

Sect. 1. Trustees of insolvent turnpike trusts, with consent of two-thirds in value of the creditors, may apply for a provisional order for reduction of rate of interest, or extinguishment of arrears.

2. Power to executors, &c. to consent.

3. Secretary of State may make a provisional order in pursuance of the application; which order to be binding if confirmed by Parliament.

4. Construction of terms.

CAP. XXXIX.

An Act to exempt Burgesses and Freemen in certain Cases from the Operation of an Act for the better assessing and collecting the Poor-rates and Highway-rates in Respect of Small Tenements.
[24th July, 1851.]

Sect. 1. *Right of voting reserved by recited Provisions of 2 & 3 Will. 4, c. 45, to Persons then entitled, not to be affected by the Change of Rating under 13 & 14 Vict. c. 99.*

2. *Construction of the Words "Tenement,"*

3. *And "Rates for the Relief of the Poor."*

Whereas by sect. 32 of stat. 2 & 3 Will. 4, c. 45, it is provided, that every person who would have been entitled to vote in the election of a member or members to serve in any future Parliament for any city or borough not included in the schedule marked (A.) to that act annexed, either as a burgess or freeman, or, in the city of London, as a freeman and liveryman, if that act had not been passed, should be entitled to vote in such election, provided such person should be duly registered according to the provisions thereafter contained; but that no person should be so registered in any year unless he should on the last day of July in that year be qualified in such manner as would entitle him then to vote if such day was the day of election, and that act had not been passed; and whereas by sect. 33 of the said act it is provided that any person then having a right to vote in the election for any city or borough, except as therein mentioned, in virtue of any other qualification than as a burgess or freeman, or as a freeman and liveryman, or in the case of a city or town being a county of itself as a freeholder or burgage tenant as therein-before mentioned, should retain such right of voting so long as he should be qualified as an elector according to the usage and custom of such city or borough, or any law then in force subject as in the said act mentioned: and whereas it is expedient to amend the act 13 & 14 Vict. c. 99, so far as it may affect the rights reserved by the said several sections of the 2 & 3 Will. 4, c. 45: be it therefore enacted, &c., as follows:—

Sect. 1. Where any person to whom a right of voting was retained or reserved by the recited provisions of the said act 2 & 3 Will. 4, c. 45, is or shall be the occupier of any such tenement as in the said act of the last session of Parliament mentioned, and the owner of such tenement has been or shall be rated to the relief of the poor instead of the occupier thereof, and such owner shall have paid all money due on account of any rate or rates in respect of such tenement, or such occupier shall have tendered the amount thereof in the manner prescribed by such act, such occupier shall be entitled, not only to the municipal privileges and franchises reserved to him by such act, but also to all such right of voting at elections of a member or members to serve in Parliament for any city or borough, and all other rights and privileges, as such occupier would have been entitled to under the recited provisions of the said act 2 & 3 Will. 4, c. 45, and the other provisions of such act, and any acts amending the same, relating to the right of voting so retained or reserved, if such occupier had been himself rated in respect of such tenement, and had duly paid or tendered the rate or rates to which he was liable in consequence of such rating.

2. That the word "tenement" in the said recited act of the last session of Parliament shall be construed to mean any house, cottage, apartment, or building, and land in the same parish held with the same or any of them, but shall not include any other land or corporeal hereditament.

3. That the words "rates for the relief of the poor" in the said recited act of last session of Parliament shall be construed to mean rates for the relief of the poor and for other purposes chargeable thereon according to law; and that the owners of any tenements who shall be liable to be rated in respect of such tenements to any such rate by virtue of the same act shall also be liable to be rated to any rate or rates authorised to be assessed and levied by the 2nd section of the act 12 & 13 Vict. c. 65.

CAP. XL.

An Act for Marriages in India. [24th July, 1851.]

Sect. 1. Marriage of Christians in India may be solemnised under this act. Notice of intended marriage to be given to the marriage registrar for the district.

2. Certificate of notice to be issued on request. Proviso.
3. Who to give consent if parties under age.
4. Issue of registrar's certificate may be forbidden.
5. Supreme court or judge of the zillah or district may relieve where consent improperly withheld.
6. Oath or declaration to be made before issue of certificate.
7. Protest against issue of certificate may be entered.
8. Appeal where registrar refuses certificate.
9. After issue of certificate, marriage may be solemnised in the presence of marriage registrar and two witnesses.
10. When marriage is not had within three months after notice, a new notice required.
11. Marriages to be registered.
12. Certificates of marriages to be transmitted periodically to the secretary of the Government, &c.
13. Proof of residence of parties or consent not necessary to establish marriage.
14. Registrar may ask certain particulars of parties.
15. Persons vexatiously entering protests liable to costs and damages.
16. Punishment of persons making false oath or declaration.
17. Limitation of prosecution.
18. Government of each presidency may appoint marriage registrars, &c. Governor-General may appoint in certain cases.
19. Government of each presidency may appoint fees to be taken under this act, to be accounted for by marriage registrar.
20. Governor-General in council empowered to make laws and regulations for the purposes of this act.
21. Marriages may continue to be solemnised as heretofore. Power to Governor-General in council to make laws for the registration of marriages not solemnised under this act.
22. Certificates delivered to registrar-general under this act, or under any laws or regulations made thereunder, to be subject to the provisions of 6 & 7 Will. 4, c. 86.
23. Marriages under this act valid.
24. Certain marriages in India confirmed.
25. Interpretation of "India."
26. Commencement of act.
27. Publication of act.

CAP. XLI.

An Act to regulate the Salaries of the Chief Justice of the Court of Queen's Bench and the Chief Justice of the Court of Common Pleas. [1st August, 1851.]

CAP. XLII.

An Act to make better Provision for the Management of the Woods, Forests, and Land Revenues of the Crown, and for the Direction of Public Works and Buildings. [1st August, 1851.]

CAP. XLIII.

An Act for disafforesting the Forest of Hainault, in the County of Essex. [1st August, 1851.]

CAP. XLIV.

An Act to continue certain Acts for regulating Turnpike-roads in Ireland. [1st August, 1851.]

CAP. XLV.

An Act to continue an Act of the fifth and sixth Years of Her present Majesty for amending the Law relative to Private Lunatic Asylums in Ireland. [1st August, 1851.]

CAP. XLVI.

An Act to amend two several Acts of Her Majesty's Reign, enabling the Commissioners of Her Majesty's Woods to purchase Lands for and to form Victoria Park; and to indemnify the Trustees of Copyhold Lands held in Trust for Her Majesty. [1st August, 1851.]

CAP. XLVII.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in Respect of Stock-in-Trade or other Property to the Relief of the Poor. [1st August, 1851.]

Whereas an act was passed in the 3 & 4 Vict. [c. 89.] intitled "An Act to exempt until the 31st Day of December, 1841, Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in Respect of Stock-in-Trade or other Property to the Relief of the Poor:" and whereas the said act hath been since continued by sundry acts until the 1st day of October, in the year 1851, and to the end of the then next session of Parliament; and it is expedient that the said act should be further continued: be it enacted, &c., that the first-mentioned act shall continue in force until the 1st day of October, in the year 1852, and to the end of the then next session of Parliament.

CAP. XLVIII.

An Act to continue an Act of the second and third Years of her present Majesty, "to extend and render more effectual for five Years an Act passed in the fourth Year of his late Majesty George IV to amend an Act passed in the fiftieth Year of his Majesty George III, for preventing the administering and taking unlawful Oaths in Ireland," as the same is amended by an Act of the eleventh and twelfth Years of her Majesty's Reign. [1st August, 1851.]

CAP. XLIX.

An Act to repeal an Act of the eleventh and twelfth Years of her present Majesty, for making preliminary Inquiries in certain Cases of Applications for Local Acts, and to make other Provisions in Lieu thereof. [1st August, 1851.]

Sect. 1. Recited act repealed.

2. Where works proposed on tidal lands, Admiralty may require statements, &c.
3. Admiralty may appoint inspectors.
4. Inspectors may summon witnesses and examine them upon oath.
5. Penalty for non-attendance or refusing to answer questions.
6. Admiralty may take security for payment of expenses of inquiry.
7. Petitioners for private bill to be deemed the promoters.
8. Form of citing the act.

CAP. L.

An Act to amend the Public Health Act, and an Act of the third and fourth Years of King William IV, in Respect of the Assessment of Tithe and Tithe Rent-charges for certain Rates. [1st August, 1851.]

Whereas by an act passed in the 3 & 4 Will. 4, [c. 90.] intitled "An Act to repeal an Act of the eleventh Year of his late Majesty King George IV, for the lighting and watching of Parishes in England and Wales, and to make other Provisions in Lieu thereof," it is provided, that in levying any rate necessary for the purposes of the said act the owners and occupiers of houses, buildings, and property (other than land) rateable to the relief of the poor in any parish shall be rated at and pay a rate in the pound three times greater than that at which the owners and occupiers of land shall be rated at and pay for the purposes of the said act: and whereas by an act passed in the 11 & 12 Vict. [c. 63.] intitled "An Act for promoting the Public Health," it is, among other things, provided, for the purposes of the said last-mentioned act, that the occupier of any land used as arable, meadow, or pasture ground only shall be assessed in respect of the same in the proportion of one-fourth part only of the net annual value thereof: and whereas it is just that tithes, tithe rent-charges, and other like payments issuing out of land should be assessed for the purposes of the said acts in the same proportion of their net annual value as such land itself: be it therefore enacted, &c., that tithes, tithe rent-charges, moduses, compositions real, and other payments in lieu of tithe, shall be assessed under the firstly-recited act as and in the same proportion of their annual value as land, and under the secondly-recited act as and in the same proportion of their annual value as land used as arable, meadow, or pasture ground only.

CAP. LI.

An Act to authorise for a further Period the Application of Money for the Purposes of Loans for carrying on Public Works in Ireland. [1st August, 1851.]

CAP. LII.

An Act to facilitate the more speedy Arrest of absconding Debtors. [1st August, 1851.]

Sect. 1. *Authority to Commissioners of Bankruptcy and Judges of County Courts to grant Warrants for the Arrest of absconding Debtors. Writ of Capias to issue thereupon.*

2. *Before whom Affidavits to be sworn.*
3. *Warrants to be auxiliary to such Writ of Capias.*
4. *Time and Place of Arrest of Debtor to be indorsed upon Warrant, and upon Production Sheriffs to receive and detain such Debtor.*
5. *Persons arrested entitled to Discharge in certain Cases.*
6. *Effect of Writs of Capias on previous Proceedings.*
7. *Indorsement on Warrant.*
8. *Persons arrested may apply to a Commissioner of Bankrupt, a Judge, or the Court named in the Warrant, for their Discharge.*
9. *Officer responsible for the due Execution of Warrant.*
10. *Costs of such Warrant to be Costs in the Cause, except as herein provided to the contrary.*
11. *Fees to be taken in Respect of Warrant to be issued.*
12. *Short Title of Act.*

Whereas the laws now in force for the arrest of debtors absconding from England are insufficient and inadequate for that purpose, by reason of the delay which is occasioned in obtaining the necessary process: and whereas frauds are perpetrated upon creditors residing at a distance from London by debtors embarking for distant countries from various towns and seaports in England: and whereas it is expedient to provide a more expeditious and efficacious mode of obtaining process for the arrest of debtors about to quit England in all cases where such debtors are now liable by law to be arrested: be it therefore enacted, &c., as follows:—

Sect. 1. That from and after the passing of this act it shall be lawful for any commissioner of the Court of Bankruptcy acting for any district in the country, or the judge of any district county court, except the county court judges acting in the counties of Middlesex and Surrey, on application by or on behalf of any creditor, upon due proof by affidavit, intituled in one of her Majesty's superior courts of common law, of the creditor applying, or of some other person, or by solemn affirmation in cases in which solemn affirmation is allowed by law, to the satisfaction of such commissioner or judge, that a debt of 20*l.* or upwards is owing to such creditor, and is then payable from the person or persons against whom such application shall be made, and that there is probable cause for believing that such debtor or debtors, unless he or they be forthwith apprehended, is or are about to quit England with intent to avoid or delay the said creditor, or with intent to remain out of the jurisdiction of the courts of law in England so long, that thereby the said creditor will or may be delayed in the recovery of the said debt, to grant a warrant, such warrant being in the form and indorsed in the manner specified in the Schedule (A.) to this act annexed, or to the like effect, to the messenger of the said Court of Bankruptcy, or to the high bailiff of the said county court, whereby the said messenger or high bailiff shall have authority, at any time within seven days after the date of the said warrant, including the day of such date, to arrest the person or persons named in such warrant, and him or them safely keep until he or they shall have given bail to such messenger or high bailiff, or made deposit with him, according to the practice observed in the superior courts of law, or until he shall have paid the debt and costs indorsed on the said warrant, or be otherwise discharged from arrest under such warrant by due course of law, and that such warrant shall bear date the day of the issuing thereof, and may be executed in any part of England, and that a copy of such warrant or warrants shall, at the time of the arrest, be served upon the party arrested: provided always, that every creditor who shall cause such warrant to issue shall forthwith cause to be issued a writ of capias, and also, in cases where no action shall be pending, shall, before the issuing of such writ of capias,

cause a writ of summons to be issued out of some one of the superior courts of law against such debtor or debtors, and that upon such capias all mandates and warrants shall issue according to the practice now in use, notwithstanding that the defendant shall have been arrested by virtue of any warrant or warrants granted by such commissioner or judge, and such debtor or debtors shall, if in custody, be served with such writ of capias, within seven days from the date of such warrant, including the day of such date; and thereupon such debtor or debtors shall be considered and deemed to have been arrested by virtue of the said writ of capias, and all proceedings shall be had upon such writ of capias as if the same had been issued prior to the issuing of such warrant, and the arrest made on such writ of capias, and according to the practice now observed in the said superior courts of law.

2. The affidavit or affirmation required by this act may be sworn or made before such commissioner or judge, or before any person having authority to administer oaths in any of the courts of law aforesaid.

3. The warrant or warrants which shall be issued by virtue of this act shall be auxiliary only to the processes now in use, and shall be wholly void and of none effect whatsoever, as a protection to the person on whose behalf such warrant shall have issued, unless such writ of capias shall be issued and served in manner aforesaid.

4. The person to whom the warrant hereby authorised to be issued shall be directed shall, immediately on the same being executed, indorse a certificate thereupon of the time and place where the debtor was arrested; and the production of such warrant and certificate to the sheriff of the county where such warrants shall have issued, or to the keeper of the gaol of such county, shall be a sufficient authority to such sheriff or keeper to detain such debtor or debtors until he or they shall be discharged by due course of law.

5. It shall be lawful for any person arrested upon any such warrant forthwith before the issuing of the said writ of capias to pay the debt and costs which shall be indorsed on such warrant to the said messenger or high bailiff as aforesaid, or to enter into a bail bond to such messenger or high bailiff, with two sufficient sureties, for the amount which shall be indorsed on such warrant, conditioned to put in special bail as required by the said warrant, or to make deposit of the sum indorsed on such warrant, together with 10*l.* for costs, and thereupon he shall be entitled to be discharged from custody, and such messenger or high bailiff is hereby authorised to discharge such person accordingly.

6. As soon as the person so arrested as aforesaid has been taken into custody, or detained, under the writ of capias hereinbefore mentioned, the force and effect of the said warrant so granted as aforesaid shall immediately cease and determine, and the said sheriff shall hold the said person under or by virtue of the said writ of capias, in like manner as if the said person had been first arrested under and by virtue of the same, or in case the person so arrested shall have made deposit with the said messenger or high bailiff as aforesaid, or entered into such bail bond as aforesaid, then, upon delivery to the messenger or high bailiff respectively by whom such person was arrested of a copy of the warrant granted by the sheriff upon such writ of capias as aforesaid, the said messenger or high bailiff shall pay over to such sheriff as aforesaid the said deposit, or assign to the said sheriff such bail bond as aforesaid, and the said sheriff shall then hold the said deposit or bail bond, and shall be entitled to enforce the said bail bond in his own name, or to assign the same in the same manner as if the said person had been first arrested on the said writ of capias, and the said deposit had been made, or bail bond entered into with the said sheriff: provided always, that the said sheriff shall not be in any manner liable or answerable for any default, misbehaviour, or miscarriage of the person to whom such warrant was addressed, or of the person or persons making the arrest under and by virtue of the said warrant: provided also, that if no writ of capias be issued and served within seven days from the date of the said warrant, including the day of such date, the person arrested under such warrant shall be entitled to be discharged from custody, or in case the deposit has been made with, or bail bond given to, the said messenger or high bailiff, then the said deposit shall be returned, and the said bail bond given up to be cancelled.

7. Such warrant shall be indorsed with the amount of debt and costs claimed by the plaintiff in such manner as writs of

capias are now directed to be indorsed, and on payment of the amount so indorsed all proceedings shall be stayed, and the person so arrested be discharged from custody, and he shall be at liberty afterwards to tax the costs so indorsed as if he had been arrested under a writ of capias.

8. It shall be lawful for any person for whose arrest a warrant shall have been granted to make application, either before or after arrest shall have been made by virtue of the said warrant, and before a writ of capias shall have been issued as aforesaid, to any commissioner of bankrupt, or county court judge as aforesaid, or to any judge of the said superior courts, or to the court mentioned in the affidavit of debt or warrant for the arrest, for a summons or rule calling upon the creditor who shall have obtained such warrant to shew cause why the warrant should not be set aside and vacated, if such application shall be made before arrest, or why the debtor should not be discharged out of custody, if the application should be made after arrest, and that it shall be lawful for such commissioner or judge or court to make absolute or discharge such summons or rule, and direct the costs of the application to be paid by either party, or to make such other order therein as to such commissioner, judge, or court shall seem fit; provided that any such order made by a judge may be discharged or varied by the court, on application made thereto by either party dissatisfied with such order.

9. The officer to whom such warrant shall be directed or addressed as aforesaid shall be subject to the jurisdiction of the court in which the action shall be brought, or of any judge thereof, and shall be responsible to such court or judge, and to the person at whose suit such warrant shall issue, for the due execution of the said warrant, in the same manner exactly as sheriffs are now responsible for the due execution of all writs of capias directed or addressed to them, and shall be entitled to the same protection as sheriffs now are entitled to on executing such writs.

10. The costs of and attending the warrant hereby authorised to be issued, and the arrest thereon, shall be deemed to be costs in the cause: provided always, that no such costs shall be allowed to a plaintiff unless the court or the proper officer thereof is satisfied, by affidavit or otherwise, that the plaintiff had good reason to believe that he would probably have failed in causing the defendant to be arrested if he had proceeded in the first instance by application to a judge of one of the superior courts for a writ of capias, without first applying to a judge of a county court or a commissioner of the Court of Bankruptcy, as the case may be, under the provisions of this act.

11. The fees mentioned in Schedule (B.) to this act annexed shall be paid to the parties in the said schedule named, and that no other fees shall be allowed or taken in respect of the warrant to be issued by virtue of this act, and that the costs of the writs of capias and summons shall be the same as if this act had not passed; and the said fees shall be deemed subject to be regulated, varied, increased, or lessened, either by one of her Majesty's principal Secretaries of State, with the consent of the Commissioners of her Majesty's Treasury, as regards such fees as are receivable by any officer of the county court, or by the Lord Chancellor, with the like consent as regards such fees as are receivable by any officer of the Court of Bankruptcy; and a table of such fees as are hereby receivable by any officer of either court respectively shall be put up in some conspicuous place in the county court and the Bankruptcy Court respectively.

12. In citing this act in other acts of Parliament, or in any instrument, document, or proceeding, it shall be sufficient to use the expression "The Absconding Debtors Arrest Act, 1851."

SCHEDULE (A.)

The Absconding Debtors Arrest Act, 1851.

Whereas A. B. [the creditor] hath this day proved upon oath [or "solemn affirmation," as the case may be.] to my satisfaction, that C. D. [the debtor] is indebted to the said A. B. in the sum of £—, and that there is probable cause for believing that the said C. D., unless he be forthwith apprehended, is about to quit England with such intent as is mentioned in the Absconding Debtors Arrest Act, 1851: these are to desire and authorise you, that you take the said C. D. wheresoever he may be found, and him safely keep until he shall have given you bail, or made deposit with you according to law

in an action ["on promises," or "of debt," or "covenant," as the cause of action may be,] at the suit of A. B., or until the said C. D. shall have paid the debt and costs indorsed on this warrant, or shall by other lawful means be discharged from your custody. I do further command you to whom this warrant is directed, that on execution hereof you do deliver a copy hereof to the said C. D. And I hereby require the said C. D. to take notice that application will be made forthwith to the Court of ["Queen's Bench," or "Common Pleas," or "Exchequer," or "Common Pleas at Lancaster," or "Pleas at Durham," as the case may be,] for a writ of capias to be issued against the said C. D., and a copy of such writ, if obtained, will be served upon the said C. D., if still in custody, within seven days from the date of this warrant, including the day of such date. And I do further command you to whom this warrant is directed, that immediately after the execution hereof you do certify by indorsement hereon the time and place when and where you shall have executed the same. Dated the — day of —, A. D. —.

This warrant is to be executed within — days from the date hereof, including the day of such date, and not afterwards.

(Indorsement).

This warrant was issued by —, of —,

Attorney for the within-named —.

A Warning to the Defendant.

Within seven days from the day of the date of this warrant, including the day of such date, you will be served with a writ of capias, and thereafter you will be considered as arrested by virtue of such writ of capias, and all proceedings will be had upon the said writ of capias as if this warrant had not issued, or you may be discharged forthwith on depositing in the hands of the officer to whom this warrant is directed the sum of £ — and 10s. for costs, or on payment to such officer of the debt and costs indorsed on this warrant, or on entering into a bail bond to such officer, with two sufficient sureties, for the amount indorsed on this warrant.

The plaintiff claims £ — for debt and £ — for costs.

Bail for the sum of £ — by order of [the party issuing the warrant.]

SCHEDULE (B.)

| | Fees. | £ | s. | d. |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------|---|----|----|
| To the attorney, for preparing the affidavit of debt, and shewing that the debtor is about to abscond, and oath..... | | 0 | 10 | 0 |
| To the same, for attending to issue the warrant.... | | 0 | 6 | 8 |
| To the clerk of the county court on the issuing of a warrant..... | | 0 | 5 | 0 |
| To the party executing the warrant, for the caption | | 1 | 1 | 0 |
| To the same, for every mile from the place where the warrant shall be issued to the place where it shall be executed, a further sum of..... | | 0 | 0 | 6 |
| To the same, for every mile from the place where the debtor shall be arrested to the gaol where he shall be lodged, the further sum of..... | | 0 | 1 | 0 |

CAP. LIII.

An Act to consolidate and continue the Copyhold and Inclosure Commissions, and to provide for the Completion of Proceedings under the Tithe Commutation Acts.

[1st August, 1851.]

Sect. 1. So much of 4 & 5 Vict. c. 35, as authorises the Appointment of Commissioners, &c. continued for two Years. Salary of a Commissioner not to exceed 1500l.

2. Commissioners to come in the Place of Copyhold and Inclosure Commissioners, and to complete Proceedings under Tithe Acts, and to exercise all other Powers now vested in Copyhold, &c. Commissioners.

3. As to Continuance of Secretary and Officers.

4. Appointments and Powers of Assistant Commissioners continued.

5. Appointments under this Act limited to two Years.

6. Provisions applicable to Copyhold, &c. Commissioners applicable to this Act.

7. Powers of Assistant Commissioners appointed by Tithe, Copyhold, or Inclosure Commissioners vested in Assistant Commissioners appointed or continued under this Act.

8. *Matters commenced by Tithe Commissioners, &c. to be completed by Commissioners under this Act.*

9. *Extending Powers of third-recited Act to authorising Reservation of Easements for working Mines.*

Whereas the appointments of the Tithe Commissioners for England and Wales, and the other appointments and powers of appointment under the act passed in the 6 & 7 Will. 4, c. 71, and the acts continuing and amending the same, will expire at the end of the present session of Parliament; but certain proceedings for the commutation of tithes under the said acts have not been completed, and other powers and duties under such acts have not been fully executed and performed: and whereas by the act passed in the 4 & 5 Vict. c. 35, the said Tithe Commissioners for the time being were appointed to be "the Copyhold Commissioners" for carrying that act into execution, and should the same not be fully carried into effect before the duties of the said Tithe Commissioners should cease one of her Majesty's principal Secretaries of State was empowered to appoint any number of fit persons, not exceeding three, to be such Copyhold Commissioners: and whereas by the act passed in the 8 & 9 Vict. c. 118, provision was made for the appointment of two persons, who, with the First Commissioner of her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, were to be the commissioners for carrying that act into execution, and were to be styled "The Inclosure Commissioners for England and Wales:" and whereas the said acts relating to the said Copyhold and Inclosure Commissioners have been amended by other acts: and whereas under an act passed in the 9 & 10 Vict. c. 101, and other acts relating to the drainage of lands in Great Britain, certain powers and duties are vested in the said Inclosure Commissioners in relation to such drainage: and whereas the appointments and powers of appointment of the said Copyhold Commissioners and Inclosure Commissioners, and of their assistant commissioners, secretaries, and other officers, will expire at the end of the present session of Parliament: and whereas it is expedient to continue for the period hereinafter mentioned, and subject as herein provided, the powers of appointment contained in the said act of the fourth and fifth years of her Majesty, and to transfer to the commissioners to be appointed thereunder the duties and powers of the said Inclosure Commissioners, and to provide for the completion of the proceedings for the commutation of tithes which have not been completed, and for the exercise and performance of such of the powers and duties of the said Tithe Commissioners as remain to be exercised or performed: be it therefore enacted, &c. as follows:—

1. So much of the said act of the fourth and fifth years of her Majesty as authorises the appointment of commissioners and other officers as therein mentioned shall be continued for two years next after the day of the passing of this act, and thenceforth until the end of the then next session of Parliament; and the powers of appointment so continued shall be construed as authorising such appointments as aforesaid, for all the purposes of this act: provided always, that the salary of any commissioner to be appointed under the power hereby continued shall not exceed 1500*l*.

2. The commissioners to be appointed as aforesaid shall be commissioners for executing the said acts of the fourth and fifth and the eighth and ninth years of her Majesty, and the acts amending, explaining, and extending the same, and the acts relating to the drainage of lands in Great Britain, in the place of the said Copyhold Commissioners and Inclosure Commissioners respectively, and all the powers and duties of the said Tithe Commissioners which at the end of the present session of Parliament are not fully exercised and performed shall by virtue of this act be transferred to and become vested in the commissioners appointed under this act, and where under any act of Parliament any powers or duties are or may be vested in or to be performed by the said Copyhold Commissioners, Inclosure Commissioners, or Tithe Commissioners, or any or either of such commissioners, all such powers and duties shall be vested in and performed by the said commissioners to be appointed as aforesaid; and the commissioners appointed under this act shall, in all proceedings in the exercise and performance of the powers and duties to be exercised and performed by them under this act, in the place of the said Copyhold Commissioners, Inclosure Commissioners, or Tithe Commissioners, adopt and use the style and seal of the com-

missioners in whose place they come under this act in respect of such powers and duties.

3. It shall be lawful for the Commissioners of her Majesty's Treasury to direct that such of the secretaries, assistant secretaries, clerks, and officers employed under the said Tithe Commissioners, Copyhold Commissioners, and Inclosure Commissioners respectively, as the said Commissioners of the Treasury shall think necessary, be continued so long as such commissioners may think fit, under and for the purposes of this act; and all such officers may be removed as if they had been appointed under the powers hereby continued; and no assistant commissioner, secretary, or other officer shall be appointed by the commissioners appointed under this act, without the consent of the said Commissioners of her Majesty's Treasury.

4. All appointments and powers of assistant commissioners under the said acts, or any of them, which may be in force immediately before the end of the present session of Parliament, shall respectively continue in force until revoked by the commissioners appointed under this act, subject nevertheless to the provision next hereinafter contained.

5. No commissioner or assistant commissioner, secretary, or other officer or person appointed or continued under this act, shall hold his office for a longer period than two years next after the day of the passing of this act, and thenceforth until the end of the then next session of Parliament; and after the expiration of the said period of two years and of the then next session of Parliament, so much of this act as authorises any such appointment shall cease.

6. Save as herein provided, all provisions of any acts applicable to the said Copyhold Commissioners, Inclosure Commissioners, and Tithe Commissioners respectively shall be applicable in like manner to the commissioners under this act.

7. Where, under the said acts of the sixth and seventh years of King William IV, and the fourth and fifth and the eighth and ninth years of her Majesty, and the acts amending, explaining, and extending the same respectively, or any of such acts, or any other acts of Parliament, powers and duties are vested in or to be performed by an assistant commissioner appointed by or under the said Tithe Commissioners, Copyhold Commissioners, or Inclosure Commissioners, such powers and duties shall and may be exercised and performed by an assistant commissioner appointed or continued under this act; and all provisions having reference to any assistant commissioner appointed by the said Tithe Commissioners, Copyhold Commissioners, or Inclosure Commissioners, shall be construed as having reference to an assistant commissioner appointed or continued under this act.

8. All acts, matters, and things commenced by or under the authority of the said Copyhold Commissioners, Inclosure Commissioners, or Tithe Commissioners shall and may be carried on and completed by or under the authority of the said commissioners appointed under this act; and such commissioners, for the purpose of prosecuting or defending and carrying on all actions, suits, or proceedings pending at the time of the first appointment of commissioners under this act, shall come into the place of such Copyhold Commissioners, Inclosure Commissioners, or Tithe Commissioners respectively.

9. And whereas it is expedient that the powers of the said act of the eighth and ninth years of her Majesty, and the acts amending the same, should be extended to authorise the reservation of easements for working mines of the lord of a manor, (whose consent may be required to an inclosure), although such mines may not be under the lands to be inclosed: be it therefore enacted, that in the provisional order of the commissioners concerning the inclosure under the provisions of the said acts of any waste lands of any manor, it shall be lawful for the commissioners to require, and in their provisional order to specify, as one of the terms and conditions of such inclosure, the reservation to the lord of the manor, his heirs, successors, and assigns, of rights of way and other easements over the lands intended to be inclosed, for working and carrying away any mines, minerals, stone, and other substrata the property of the lord of the manor, not under the lands proposed to be inclosed, and whether within the manor or not within the manor, and also for working and carrying away any mines, minerals, stone, and other substrata which may be intended to be reserved to or remain the property of the lord of the manor under the lands proposed to be inclosed, or for any of the purposes aforesaid; and in case it shall have been so declared

In such provisional order, then the valuer shall and may reserve and award to the lord of the manor, his heirs, successors, and assigns, such liberty to construct railways, waggon-ways, and roads, and such rights of way and other easements over the lands intended to be inclosed, for working and carrying away any such mines, minerals, stone, or other substrata, the property of the lord of the manor as aforesaid, as by the valuer, with the approbation of the commissioners, shall be thought reasonable, and as shall not be inconsistent with the terms of such provisional order; subject to such provisions for compensation for damage to be done to the surface in the exercise and enjoyment of such rights and easements as to the valuer, with such approbation as aforesaid, shall be thought reasonable.

CAP. LIV.

An Act to authorise the Inclosure of certain Lands in Pursuance of a Special Report of the Inclosure Commissioners. (Second Annual Inclosure Act, 1851).

[1st August, 1851.]

CAP. LV.

An Act to amend the Law relating to the Expenses of Prosecutions, and to make further Provision for the Apprehension and Trial of Offenders, in certain Cases.

[1st August, 1851.]

- Sect. 1. *So much of 7 Geo. 4, c. 64, s. 23, as to Expenses of Attendance before examining Magistrate, &c. repealed.*
2. *Power of Courts to allow Expenses in Prosecutions for certain Misdemeanours extended to other Misdemeanours.*
3. *Parties bound by Recognisance to prosecute or give Evidence on Bills of Indictment for common Assaults to be allowed Costs as in Cases of Felony.*
4. *So much of 7 Geo. 4, c. 64, as empowers Quarter Sessions to make Regulations as to Costs and Expenses, repealed.*
5. *Secretary of State may make Regulations as to Costs, Expenses, and Compensations, and Certificates to be granted by examining Magistrates.*
6. *Expenses and Compensations to be ascertained according to such Regulation, and Magistrates' Certificate not to be conclusive.*
7. *Act not to interfere with Payments in Respect of extraordinary Courage, Diligence, and Exertions.*
8. *Powers given to Judges by 7 Geo. 4, c. 64, to order Payments in Respect of the Apprehension of certain Offenders, extended to Courts of Sessions of the Peace.*
9. *Clerks of the Peace, &c. may be paid by Salaries in Lieu of Fees.*
10. *Certain Business may be excepted in fixing the Salaries.*
11. *Clerks paid by Salaries to account for Fees.*
12. *Fees may be remitted by Justices.*
13. *So much of 4 & 5 Will. 4, c. 36, as restrains Justices of London, &c. from trying certain Offences, &c. repealed. Such Repeal not to give Power to try Offences restrained from being tried under 5 & 6 Vict. c. 38.*
14. *Deputy to Assistant Judge of the Middlesex Sessions need not be in the Commission of the Peace.*
15. *As to Powers of Court of Quarter or General Sessions for Middlesex for dividing such Sessions. When Power exercised the Assistant Judge to appoint a Deputy to preside as Chairman with the Justices appointed to sit apart.*
16. *Presence of one of the Justices so set apart not essential to Formation of Court.*
17. *So much of 9 Geo. 4, c. 43, and 6 & 7 Will. 4, c. 12, as exempts Middlesex repealed.*
18. *By whom Warrants to be backed in the Channel Islands.*
19. *In certain Counties of Cities and Towns Prisoners may be committed, and tried at Assizes held for adjoining County.*
20. *Justices to declare when Gaols or Houses of Correction are fit Prisons for Persons committed for Trial.*

21. *Prisoners so committed to be removed to County Gaol previous to Trial.*

22. *Prisoners while under Removal to be deemed in proper legal Custody.*

23. *The Provisions of 38 Geo. 3, c. 52, and 51 Geo. 3, c. 100, as to Execution of Sentences, and as to Costs, extended to this Act.*

24. *What to be deemed the next adjoining County.*

25. *Extent of Act.*

Whereas by the act passed in the 7 Geo. 4, [c. 64.] certain provisions were made relating to the allowance of costs, expenses, and compensations to prosecutors and witnesses in cases of prosecutions for felonies and certain misdemeanours therein mentioned, and the regulation and ascertaining of such costs and expenses, and relating to the allowance of compensation to persons who may have been active in the apprehension of offenders or persons charged with offences; and provisions have been made by other acts relating to costs, expenses, and compensations in cases of prosecutions in respect of the offences therein mentioned: and whereas it is expedient to amend the law relating to costs, expenses, and compensations in cases of criminal prosecutions: be it therefore enacted, &c., that

1. So much of sect. 23 of the said act of 7 Geo. 4, [c. 64.] as provides that in cases of misdemeanour the power of ordering the payment of expenses and compensation shall not extend to the attendance before the examining magistrate, shall be repealed.

2. All the provisions of the said act of 7 Geo. 4, [c. 64.] as amended by this act, authorising and empowering courts to order payment of costs and expenses, and compensation for trouble and loss of time, in cases of the several misdemeanours enumerated in sect. 23 of the said act of 7 Geo. 4, [c. 64.] and concerning orders for payment of such costs, expenses, and compensation, and the payment thereof, and all the provisions of any other act for, concerning, or applicable to the payment of such costs, expenses, and compensation in cases of the said misdemeanours, shall extend and be applicable in the case of any of the misdemeanours hereinafter mentioned; namely, unlawfully and carnally knowing and abusing any girl being above the age of ten years and under the age of twelve years; unlawfully taking or causing to be taken any unmarried girl, being under the age of sixteen years, out of the possession and against the will of her father or mother, or of any other person having the lawful care or charge of her; conspiring to charge any person with any felony, or to indict any person of any felony; conspiring to commit any felony.

3. And whereas by an act passed in the 9 Geo. 4, [c. 31.] it is enacted, that where any person shall unlawfully assault or beat any other person, it shall be lawful for two justices of the peace, upon complaint of the party aggrieved, to hear and determine such offence; and it is by the said act provided, that in case the justices shall find the assault or battery complained of to have been accompanied by any attempt to commit felony, or shall be of opinion that the same is from any other circumstance a fit subject for a prosecution by indictment, they shall abstain from any adjudication thereupon, and shall deal with the case in all respects in the same manner as they would have done before the passing of the said act: and whereas it is expedient that courts before whom such indictments shall be tried shall have power to order payment of costs to parties so bound by recognisance to prosecute or give evidence: be it enacted, that in every case of assault so brought before such justices for summary decision in which the justices shall be of opinion that the same is a fit subject for prosecution by indictment, and shall thereupon bind the complainant and witnesses in recognisance to prosecute and give evidence at the assizes or sessions of the peace, every such court is hereby authorised and empowered at its discretion to order payment of the costs and expenses of the prosecutor and witnesses so appearing before such court under such recognisance, together with compensation for their trouble and loss of time, in the same manner as courts are authorised and empowered to order the same in cases of felony.

4. So much of the said act of the 7 Geo. 4, [c. 64.] as empowers the justices of the peace of any county, riding, or division, or of any liberty, franchise, city, town, or place chargeable with costs and expenses as therein mentioned, in quarter sessions assembled, to establish and alter regulations as to the rate of any costs and expenses to be allowed by virtue of that act, shall be repealed: provided always, that all such

regulations in force at the time of the passing of this act shall continue in force until revoked, or until regulations in relation to the matter thereof are made under the powers of this act.

5. It shall be lawful for one of her Majesty's principal Secretaries of State to revoke any regulations made under the provision hereinbefore repealed, and to make regulations as to the rates or scales of payment of all or any costs, expenses, and compensations to be allowed or ordered to be paid under the said act, or any other act or this act, to prosecutors and witnesses, and to persons attending the court in obedience to any recognisance or subpoena, in cases of criminal prosecutions, and (except as hereinafter mentioned) to persons who may have been active in or towards the apprehension of persons charged with offences, and also regulations as to the rates or scales of payment according to which certificates may be granted by the examining magistrate or magistrates in respect of the expenses of any prosecutor, or witness or witnesses for the prosecution, or other person, of attending before such magistrate or magistrates, and of any compensation for trouble and loss of time therein, in any case where any court or judge is empowered under the said act of the 7 Geo. 4, [c. 64], or any other act or this act, to order payment of such expenses or compensation, and concerning the forms of such certificates and the details or particulars to be inserted therein of the expenses, trouble, and loss of time to which such certificates relate, and it shall be lawful for one of her Majesty's principal Secretaries of State from time to time to alter any such regulations, or make new regulations in relation to any of the matters aforesaid, and such regulations for the time being shall be binding on all courts and persons whomsoever.

6. Where any court or judge empowered under the said act of the 7 Geo. 4, [c. 64], or under any other act or this act, in this behalf, shall order payment to any prosecutor, or witness or witnesses for the prosecution, or to any person attending the court in obedience to any recognisance or subpoena, in the case of any prosecution for felony or any misdemeanour or offence, of any costs or expenses incurred, or of any compensation for trouble or loss of time, or order payment (except as hereinafter mentioned) to any person who may appear to have been active in or towards the apprehension of any person charged with any offence of compensation for expenses, exertions, and loss of time in or towards such apprehension, the amount of such costs, expenses, or compensation shall be ascertained by the proper officer of the court, according to the regulations made under this act; and where the expenses and compensation in respect of attending before any examining magistrate or magistrates are so ordered to be paid, such expenses and compensation shall also be ascertained by the proper officer of the court, according to such regulations, but the amount thereof, as so ascertained, shall not exceed the amount mentioned in the certificate of the examining magistrate or magistrates, and, save as aforesaid, the certificate of any examining magistrate or magistrates shall not be conclusive as to the amount to be allowed for expenses of attendance before him or them, or for compensation for trouble or loss of time therein.

7. Provided always, that nothing in this act, or in any regulations under this act, shall interfere with or affect the power of any court to order payment to any person who may appear to such court to have shewn extraordinary courage, diligence, or exertion in or towards any such apprehension as hereinbefore mentioned, of such sum as such court shall think reasonable and adjudge to be paid in respect of such extraordinary courage, diligence, or exertion.

8. And whereas by the said act of the 7 Geo. 4, [c. 64.] any court of oyer and terminer and gaol delivery, and other courts therein mentioned, are empowered to order compensation to be paid to persons who shall appear to the court to have been active in or towards the apprehension of any person charged with murder or with any other of the crimes therein mentioned: and whereas it is expedient to extend such power to courts of session of the peace: be it enacted, that when any person appears to any court of sessions of the peace to have been active in or towards the apprehension of any party charged with any of the offences in the said enactment mentioned, which such sessions may have power to try, such court of sessions shall have power to order compensation to be paid to such person in the same manner as the other courts in the said enactment mentioned; provided that such compensation to any one person shall not exceed the sum of 5*l.*, and that

every order for payment to any person of such compensation be made out and delivered by the proper officer of the court unto such person without fee or payment for the same.

9. And whereas it may be expedient to authorise the payment of clerks of the peace and such other clerks as hereinafter mentioned by salaries instead of fees: be it enacted, that it shall be lawful for the justices of the peace at their general or quarter sessions for the several counties, ridings, divisions of counties, and liberties throughout England and Wales, notice being given at the preceding quarter sessions that a motion will be made for such purpose, and the council or other governing body in every borough in England and Wales, from time to time, if they see fit so to do, to recommend to one of her Majesty's principal Secretaries of State that the clerks of the peace, the clerks of special and petty sessions, and the clerks of the justices of the peace within their several jurisdictions, or any of such clerks as aforesaid, be paid by salaries in lieu of fees and other payments, or where any such clerks are for the time being paid by salaries, by virtue of any order made under this act or otherwise, to recommend that the amounts of all or any of the salaries for the time being payable be reconsidered, or that all or any of such clerks for the time being paid by salaries be paid by fees in lieu of salary, and where payment by salary in lieu of fees or the reconsideration of the amounts of any salaries is recommended, to state the amount of salary which in the opinion of such justices, council, or governing body should in each case be paid; and every such recommendation being signed by the chairman of the court of general or quarter sessions, or the mayor or other head officer of the borough, shall be transmitted to the Secretary of State; and it shall be lawful for such Secretary of State, when any such recommendation is so made to him, by order under his hand, if he so think fit, to direct that all or any of the clerks to which such recommendation refers be paid by salary, and to fix the amount of salary to be so paid, or vary the amount of salary for the time being payable to any such clerk, or to direct that any such clerk for the time being paid by salary be paid by fees in lieu of salary; and such Secretary of State shall cause copies of every order made under this enactment affecting any clerk of the peace, or any clerks of special sessions or petty sessions, or clerks to the justices within the district of any clerk of the peace, to be transmitted to such clerk of the peace, to be by him distributed, where occasion shall require, to such other clerks as aforesaid; and the salary for the time being payable to any such clerk under any such order shall be paid out of any county-rate or rate in the nature of a county-rate made in the county, riding, division, or liberty, or out of the borough fund of the borough, as the case may be, for or in which such clerk of the peace or other clerk to whom the same is payable is appointed or acts: provided always, that in fixing the amount of any salary to be paid to any clerk of the peace or other clerk appointed before the passing of this act regard shall be had to the tenure of his office and to his rights in respect thereof, but no clerk of the peace or other such clerk as aforesaid appointed after the passing of this act shall be entitled to any compensation on account of any reduction of his emoluments occasioned by any order made under this enactment: provided also, that no order shall be made in pursuance of any recommendation of the council or governing body of any borough in relation to the mode of payment or the amount of salary of any such clerk other than the clerk of the peace for such borough, unless the justices of such borough at a meeting of such justices approve of such recommendation, and such approval be certified to such Secretary of State under the hand of the chairman of such meeting.

10. Provided that any such court of sessions, or council, or governing body may, where they see fit, recommend that any description (to be specified in the recommendation) of the business of any clerk whom they may recommend to be paid by salary should not be included in fixing the amount of such salary, but that such clerk should be remunerated for the same by such fees or other payments as may be payable to him in respect thereof; and where any order is made by the Secretary of State in pursuance of such recommendation as last aforesaid, such clerk shall be entitled to receive, for his own use, the like fees or payments in respect of the business in such recommendation specified in this behalf as he would be so entitled to receive if not paid by salary; and, save as aforesaid, where any clerk is paid by salary under any order made by virtue of this act, such salary shall include and be deemed the remuneration for all business which such clerk may, by reason of his office,

be called on to perform; and no other payment shall be made for any such business, or for or to a deputy of any such clerk.

11. Save as hereinbefore provided, all the fees which any such clerk as aforesaid would have been for the time being entitled to receive to his own use if such order had not been made shall, so long as any order for payment of such clerk by salary in lieu of fees is in force, be by him received and paid in any county, riding, division, or liberty to the treasurer in aid of the county-rate or rate in the nature of a county-rate of such county, riding, division, or liberty, and in any borough to the treasurer in aid of the borough fund, and such fees shall be accounted for from time to time in such manner and under such regulations as the justices at quarter sessions, or in any borough the council or other governing body, may direct.

12. Where any clerk is paid by salary by virtue of any order made under this act, any justices or justice before whom any proceeding is had, whereon a fee is payable which should be accounted for by such clerk under this act, or before whom any person is summoned for non-payment of any such fee, may remit such fee in whole or in part for poverty or other reasonable cause, in their or his discretion, and in every such case the justices or justice by whom any fee is wholly or in part remitted shall cause an entry to be made, in a book or books to be kept for that purpose by such clerk, of the nature and amount of the several fees so remitted, and of the reason for the remission in such case, which entry shall be signed by the justice or two or more of the justices authorising such remission, and shall be a sufficient voucher to discharge the clerk therefrom.

13. And whereas by the act 4 & 5 Will. 4, c. 36, it was enacted, that the justices of the peace acting in and for the cities of London and Westminster, the liberty of the Tower of London, the borough of Southwark, and the counties of Middlesex, Essex, Kent, and Surrey, should not, at their respective general or quarter sessions of the peace, or any adjournment thereof, try any person or persons charged with any of the offences therein mentioned committed or alleged to be committed within the limits of that act: be it enacted, that the said recited enactment shall be repealed; provided always, that such repeal shall not be construed to give authority to the said justices of the peace to try any person or persons for any offence which the justices of the peace acting in and for any county, riding, division, or liberty are restrained from trying under the act of the session holden in the 5 & 6 Vict. c. 38.

14. So much of the act of the session holden in the seventh and eighth year of her Majesty as requires that any person to be appointed a deputy to the assistant judge of the court of the sessions of the peace for the county of Middlesex should be in the commission of the peace for the said county, and qualified by law to act as a justice of the peace, shall be repealed, but any person, being a serjeant or barrister at law of not less than ten years standing, may, in the cases and with the allowance and in the manner therein mentioned, be appointed such deputy.

15. The court of quarter or general sessions or adjourned session of the peace for the county of Middlesex shall possess the same powers for dividing such court of quarter or general or adjourned sessions as are now possessed by the courts of quarter and general and adjourned sessions of the peace in counties in which there is an order in force for the appointment of a permanent chairman and deputy chairman; and whosoever such court shall exercise such power the assistant judge shall appoint a person qualified to act as deputy assistant judge to preside as chairman with the justices who shall be appointed to sit apart: provided always, that the name of the person who shall be so appointed shall at some previous time have been transmitted to and approved of by one of her Majesty's principal Secretaries of State as a fit and proper person to be from time to time appointed as such deputy assistant judge.

16. The presence of one of the justices so as aforesaid set apart shall not be essential to the formation of the court in which such deputy assistant judge shall preside, but the jurisdiction of such justices shall not be in any way lessened by such appointment.

17. So much of an act of the 9 Geo. 4, c. 43, and of an act of the 6 & 7 Will. 4, c. 12, as enacts that nothing therein contained shall extend to the county of Middlesex, shall be repealed, and the said acts shall be construed and take effect as

if the county of Middlesex had not been excepted from the operation thereof.

18. And whereas by sect. 13 of the act 11 & 12 Vict. c. 42, provision is made for indorsing such warrants as therein mentioned by any officer within any of the isles of Guernsey, Jersey, Alderney, and Sark, who shall have jurisdiction to issue any warrant or process in the nature of a warrant for the apprehension of offenders, and other provisions are made in the same act, and in the act of the same year of her Majesty, c. 43, by reference to the enactment of the said section, and doubts have arisen by whom warrants should be indorsed in the said isles pursuant to the said provisions: be it enacted, that the bailiffs of Jersey and Guernsey respectively, or in their respective absence the lieutenant bailiffs of such islands respectively, within their respective bailiwicks or jurisdictions, the judge of Alderney, or in his absence any jurat of such island within such island, and the seneschal of Sark, or in his absence his deputy within such island, shall have all such power and authority to indorse warrants as by the said acts respectively is given or expressed or intended to be given to any officer within any of such isles having jurisdiction to issue any warrant or process in the nature of a warrant for the apprehension of offenders, and for such purpose shall have authority to administer an oath, and all the provisions of the said acts shall be construed as if the officers authorised to indorse warrants by this enactment had been so authorised by the said section of the first-mentioned act of the 11 & 12 Vict. [c. 42.]

19. Whenever any justice or justices of the peace, or coroner, acting for any county of a city or county of a town corporate within which her Majesty has not been pleased for five years next before the passing of this act to direct a commission of oyer and terminer and gaol delivery to be executed, and until her Majesty shall be pleased to direct a commission of oyer and terminer and gaol delivery to be executed within the same, shall commit for safe custody to the gaol or house of correction of such county of a city or town any person charged with any offence committed within the limits of such county of a city or town not triable at the court of quarter sessions of the said county of a city or county of a town, the commitment shall specify that such person is committed pursuant to this act, and the recognisances to appear to prosecute and give evidence taken by such justice, justices, or coroner, shall in all such cases be conditioned for appearance, prosecution, and giving evidence at the court of oyer and terminer and gaol delivery for the next adjoining county; and whenever any such person shall be so committed, the keeper of such gaol or house of correction shall deliver to the judges of assize for such next adjoining county a calendar of all prisoners in his custody so committed, in the same way that the sheriff of the county would be by law required to do if such prisoners had been committed to the common gaol of such adjoining county; and the justice, justices, or coroner by whom persons charged as aforesaid may be committed, shall deliver or cause to be delivered to the proper officer of the court the several examinations, informations, evidence, recognisances, and inquiries relative to such persons at the time and in the manner that would be required in case such persons had been committed to the gaol of such adjoining county by a justice or justices, or coroner, having authority so to commit, and the same proceedings shall and may be had thereupon at the sessions of oyer and terminer or general gaol delivery for such adjoining county as in the case of persons charged with offences of the like nature committed within such county.

20. It shall be lawful for the justices of the peace, at their general or quarter sessions for any county, riding, or division, by order made for that purpose, to declare that any gaol or house of correction for such county, riding, or division is a fit prison for persons committed for trial at the assizes for such county, or for the county of such riding or division; and every such order shall be signed by the chairman of such sessions, and transmitted to one of her Majesty's principal Secretaries of State; and in case such Secretary of State see fit to approve such order, then, after the approval thereof under the hand of such Secretary of State, it shall be lawful for any justice or justices of the peace, or coroner, acting for such county, riding, or division, to commit for safe custody for trial at the next assizes, to such gaol or house of correction, any person charged with any offence triable at the assizes for such county, or for the county of such riding or division;

and the commitment shall specify that such person is committed under the authority of this act; and the recognisances to appear to prosecute and give evidence taken by such justice, justices, or coroner shall in all such cases be conditioned for appearance, prosecution, and giving evidence at the court of oyer and terminer and gaol delivery for the county; and the keeper of such gaol or house of correction shall deliver to the judges of assize a calendar of all prisoners in custody for trial at such assizes, in the same way that the sheriff of the county would be by law required to do if such prisoners had been committed to the common gaol of such county; and the justice, justices, or coroner by whom persons charged as aforesaid may be committed shall deliver or cause to be delivered to the proper officer of the court of assize the several examinations, informations, evidence, recognisances, and inquisitions relative to such persons at the time and in the manner that would be required in case such persons had been committed for trial as aforesaid to such common gaol, and the same proceedings shall and may be had thereupon at the sessions of oyer and terminer or general gaol delivery for such county as in the case of persons so committed to such common gaol.

21. All persons who may under the authority of this act be committed to the gaol or house of correction of any county of a city or county of a town corporate for trial at the assizes to be holden for the next adjoining county, or to any gaol (other than the common gaol of the county) or house of correction for any county, riding, or division for trial at the assizes for such county, or for the county of such riding or division, shall in due time, without writ of habeas corpus or other writ for that purpose, be removed by the gaoler or keeper of such gaol or house of correction, with their commitments and detainers, to the common gaol of such county, in order that they may be tried at the assizes to be holden for such county, and such removal shall not be deemed or taken to be an escape.

22. Every prisoner so removed shall, for and during the time of such removal, and for and during the time of his being removed back to the gaol or house of correction from which he may have been brought, when and as often as he shall for any reason be so removed back, and also for and during such time as he may be detained in the county gaol, and until he shall be delivered by due course of law, be to all intents and purposes deemed and considered to be in the proper legal custody, notwithstanding he may, in effecting such removal, have been taken or detained out of the jurisdiction of the county of a city or town, or out of the jurisdiction of the county, riding, or division, to the gaol or house of correction of which he may have been originally committed, into any other jurisdiction, or out of the county to the common gaol of which he is removed into or through any other county or division of a county; and no action or other proceeding shall or may be maintained by such prisoner, or by any other person, against the gaoler or keeper of the gaol or house of correction from which such prisoner is removed, or against the gaoler or keeper of the common gaol of the county, by reason or in consequence of such prisoner having been taken out of the jurisdiction of such county of a city or town, county, riding, or division, from the gaol or house of correction of which such prisoner is removed, into any other jurisdiction, or out of such county to the common gaol of which he is removed into or through any other county or division of a county.

23. All the provisions of the act of the 51 Geo. 3, c. 100, applicable to convictions, in pursuance of the provisions of the act of the 38 Geo. 3, c. 52, and to the execution of the sentences passed upon any convicts on such convictions, and all the provisions of the said acts respectively concerning the payment of expenses, shall be applicable in all cases of persons who may be tried in or removed for trial to any adjoining county, in pursuance of the provisions of this act, in like manner as in cases of persons tried in or removed for trial to any adjoining county, in pursuance of the provisions of the said act of the 38 Geo. 3.

24. For the purposes of this act the counties named in the second column of Schedule (C.) to the act of the session holden in the 5 & 6 Will. 4, c. 76, shall be considered next adjoining the counties of cities and towns corporate in the first column of the same schedule, in conjunction with which they are respectively named.

25. This act shall not extend to Ireland or to Scotland.

(To be continued).

London Gazette.

TUESDAY, SEPTEMBER 16.

BANKRUPTS.

JOHN COOK, Assembly-row, Mile-end-road, Middlesex, builder, Sept. 27 at 12, and Nov. 3 at 2, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Sorrell, 106, Fenchurch-street.—Petition filed July 21.

EDWARD MARTYN and HENRY MARTYN, Aldgate High-street, Middlesex, woollendrapers, dealers and chapmen, Sept. 22 and Nov. 4 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Reed & Co., 59, Friday-street, Cheapside, London.—Petition dated Sept. 13.

RICHARD ISEMONGER and PEIRCY ISEMONGER, Littlehampton, Sussex, merchants, (trading under the firm of Richard Isemonger & Son), Sept. 23 at 11, and Nov. 8 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Holmes & Son, Arundel; Lewis & Co., 6, Raymond-buildings, London.—Petition dated Sept. 10.

ELIJAH SOLOMON, Haydon-square, Minorities, Middlesex, jeweller, dealer and chapman, Sept. 23 at half-past 11, and Nov. 1 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Sydney, 46, Finsbury-circus, Finsbury.—Petition dated Sept. 4.

JOHN SEPTIMUS MARYGOLD, Tipton, Staffordshire, provision dealer, Sept. 30 and Oct. 21 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Motteram & Co., Birmingham.—Petition dated Sept. 4.

WILLIAM BELL, Abergavenny, Monmouthshire, piano-forte dealer, and music seller, Sept. 29 and Oct. 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Paxon, Bloomsbury-square, London.—Petition filed Sept. 6.

JOHN THOMPSON, Leeds, Yorkshire, wholesale and retail glass and china dealer, Oct. 6 and Nov. 3 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sol. Dunning, Leeds.—Petition dated Sept. 15.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Hitton Kay, Robert Kay, and Wm. Kay, Heywood, Lancashire, cotton spinners, Oct. 9 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

Francis Masters, Reading and Newbury, Berkshire, glazier.—John Murray, Sheerness, Isle of Sheppey, Kent, builder.—John Gentry, Bocking, Essex, smith.—Robt. John Bades, Riches-court, Lime-street, London, merchant.—Wm. Jackson, Orchard-st., Portman-square, Middlesex, painter.—Geo. Courthope, Paradise-row, Rotherhithe, Surrey, coal merchant.—Benj. Whittaker and John Fullalove, Ancoats, Manchester, manufacturers.

PETITIONS ANNULLED.

John Hetherington, High Holborn, Middlesex, grocer and tea dealer.—George Butcher, Holborn-hill, London, china and glass dealer.

SCOTCH SEQUESTRATIONS.

James Farquhar, deceased, Leith, late of the Customs, Leith.—William Lockhead, Ardishaig, merchant.—Robert M'Laren, Glasgow, master carter.—Miller Berrie, Dundee, calenderer.—Wm. Thompson, Clerkhill, near Dumfries, tile manufacturer.—Archibald Harvie, deceased, Laurieston, Glasgow, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Wilkinson, Birmingham, watch gilt key maker, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—John Spicer, Birmingham, out of business, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—Charles Paul Fletcher, Aston, near Birmingham, grocer, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—Wm. Drew, Bedminster, Bristol, labourer, Oct. 1 at 11, County Court of Gloucestershire, at Bristol.—Jonathan Garratt, Hockley, Birmingham, butcher, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—W. May,

Aston, Warwickshire, bricklayer, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*John Trevor*, Birmingham, grocer, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*Robert Dullam Tamlyn*, Handsworth, Staffordshire, bolt maker, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Matts*, Birmingham, pearl-button maker, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*Henry Knight*, Birmingham, traveller in the wine and spirit trades, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*James Pearson*, Birmingham, carpenter, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*James Lancaster*, Aston New Town, Aston, near Birmingham, Warwickshire, greengrocer, Sept. 27 at 10, County Court of Warwickshire, at Birmingham.—*George Saunders*, Wolverhampton, Staffordshire, porter, Sept. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*J. Braddick*, Bristol, musician, Oct. 15 at 11, County Court of Gloucestershire, at Bristol.—*J. Randell*, Bristol, painter, Nov. 5 at 11, County Court of Gloucestershire, at Bristol.—*G. Marriott*, Sheffield, Yorkshire, baker, Oct. 1 at 12, County Court of Yorkshire, at Sheffield.—*John Lloyd*, Porthllwyd, Caerhun, Caernarvonshire, paper manufacturer, Sept. 20 at 10, County Court of Caernarvonshire, at Conway.—*James Scott*, Rattlesden, Suffolk, labourer, Sept. 26 at 10, County Court of Suffolk, at Stowmarket.

Saturday, Sept. 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Samuel Bearcroft, Gloucester, smith, No. 73,931 C.; *E. Boughton* the younger, assignee.—*Thomas Cole*, Gloucester, fishmonger, No. 74,050 C.; *Charles Smalbridge*, assignee.

Saturday, Sept. 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Abraham Wilkinson, William-st., Notting-hill, Middlesex, builder: in the Debtors Prison for London and Middlesex.—*John Coldwell*, Hardwick-place, Commercial-road East, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*John F. Holt*, Hereford-road North, Westbourne-grove, Paddington, Middlesex, oil and colour man: in the Debtors Prison for London and Middlesex.—*Frederick Fricker*, Ledbury-road, Notting-hill, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Asaelm Brown*, Westmoreland-pl., City-road, Middlesex, manufacturing stationer: in the Debtors Prison for London and Middlesex.—*Charles P. Feuillan*, High-st., Marylebone, Middlesex, baker: in the Debtors Prison for London and Middlesex.—*Charles Viner*, Douglas-place, Queen's-road, Bayswater, Middlesex, commercial traveller: in the Debtors Prison for London and Middlesex.—*William John Verity*, Church-street, Greenwich, Kent, cheesemonger: in the Debtors Prison for London and Middlesex.—*Wm. Lawrie*, Bradshaw-street, Camberwell, Surrey, out of business: in the Gaol of Horsemonger-lane.—*Wm. H. Main*, Union-street, Middlesex Hospital, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.—*Richard Osbourne*, Rochdale, Lancashire, tailor: in the Gaol of Lancaster.—*Joseph Hampson*, Dukinfield, near Ashton-under-Lyne, Lancashire, stonemason: in the Gaol of Lancaster.—*Wm. Baks*, Ardwick, Manchester, block-cutter: in the Gaol of Lancaster.—*Wm. Oliver*, Portsea, Hampshire, architect: in the Gaol of Winchester.—*Rees Rees*, Cardigan, block-maker: in the Gaol of Cardigan.—*James Marr*, Lancaster, butcher: in the Gaol of Lancaster.—*Rich. Smetkells*, Elswick, near Garstang, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Fleming* the younger, Chorlton-upon-Medlock, Manchester, poulterer: in the Gaol of Lancaster.—*Thomas Butcher*, Ware, Hertfordshire, corn dealer: in the Gaol of Hertford.—*Samuel Cole*, Charleton, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*John Dean*, Manchester, grocer: in the Gaol of Lancaster.—*John Hallowell*, Manchester, baker: in the Gaol of Lancaster.—*Thomas Memery*, Tormoham, Devonshire, bailiff: in the Gaol of St. Thomas the Apostle.—*James Nuttall*, Bury, Lancashire, beerseller: in the Gaol of Lancaster.—*William Henry Hella-well*, Aspley-mills, Huddersfield, Yorkshire, woollen manufacturer: in the Gaol of York.—*William Hughes*, Pontypool, Monmouthshire, hairdresser: in the Gaol of Monmouth.—*John Tipton*, Chorlton-upon-Medlock, Manchester, pattern

card maker: in the Gaol of Lancaster.—*Cornelius Tomlinson*, Salford, Lancashire, bricklayer: in the Gaol of Lancaster.—*Joseph David Williams*, Holyhead, Anglesey, coal merchant: in the Gaol of Beaumaris.—*Margaret M'Donald*, Manchester, out of business: in the Gaol of Lancaster.—*William Henry Parsons*, Brighton, Sussex, private tutor: in the Gaol of Lewes.—*William Rolfe*, Taunton, Somersetshire, foreman to a tailor: in the Gaol of Wilton.—*Thomas Greenaway Heward*, Bishopwearmouth, Durham, commission agent: in the Gaol of Durham.—*James Willan*, Bishop Auckland, Durham, dealer in German yeast: in the Gaol of Durham.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 30 at 10, before the CHIEF COMMISSIONER.

James Fairlie, Albert-road, Camberwell, Surrey, out of business.—*Wm. Warren*, Raven-row, Cannon-place, Mile-end, Middlesex, door-keeper at the Old Bailey, London.—*Thomas Cloutman*, St. George's-street, Commercial-road, Peckham, Surrey, carpenter.—*Wm. Cloutman*, St. George's-street, Commercial-road, Peckham, Surrey, carpenter.

Sept. 30 at 10, before Mr. Commissioner LAW.

James Praed, Richmond-road, Westbourne-grove, Bayswater, Middlesex, hairdresser.—*Edwin Kitt*, Oakle-cottages, Bridge-road, Hammer-smith, Middlesex, out of business.—*William Chapman*, New-street, Cloth-fair, West Smithfield, London, dealer in beer.—*Henry Smith*, Cancel-street, Walworth-road, Surrey, vocalist.

Sept. 30 at 10, before Mr. Commissioner PHILLIPS.

John Francis Walter, William-street, Caledonian-road, Islington, Middlesex, clerk to the Great Northern Railway Company.—*William Blane*, Regent-road, Roadwell-road, Stepney, Middlesex, greengrocer.—*Wm. Russ*, North-street, Manchester-square, Middlesex, cowkeeper.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lincolnshire, at LINCOLN,

Sept. 27.

Samuel Crowthor, Great Grimsby, mariner.—*Clement Sharman*, Spalding, shoemaker.

INSOLVENT DEBTOR'S DIVIDEND.

William John Donne, Maiden-lane, Covent-garden, milliner, Nichols & Clark, 9, Cook's-court, Lincoln's-inn: 3s. 9d. in the pound.

FRIDAY, SEPTEMBER 19.

BANKRUPTS.

EDWARD UPTON SPASHETT, Barking, Essex, mast and block maker, and smack owner, dealer and chapman, Oct. 2 at 12, and Oct. 30 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. J. T. & H. Baddeley, 48, Seaman-street, Goodman's-fields.—Petition filed Sept. 17.

ANDREW CLARK, Bear-gardens, Southwark, Surrey, plumber and lead merchant, dealer and chapman, (trading under the style or firm of Andrew Clark & Son), Oct. 8 and Nov. 4 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition filed Sept. 17.

JOSIAH WESTLEY, Playhouse-yard, London, bookbinder, Oct. 8 at 11, and Nov. 4 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition filed Sept. 18.

WILLIAM COLEMAN, Coventry, chemist, druggist, and grocer, Sept. 30 and Oct. 21 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Dewes & Son, Coventry; Motteram & Co., Birmingham.—Petition dated Sept. 13.

WILLIAM HERRING and **ABRAHAM SIMMONS**, Bristol, tailors, hatters, dealers and chapmen, Oct. 1 at 12, and Oct. 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Brittan & Sons, Bristol; Seaman, St. Pancras-lane, London.—Petition filed Sept. 16.

JOHN COLLINS, Clitheroe, Lancashire, provision dealer, draper, tea dealer, dealer and chapman, Oct. 1 and Nov. 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Blackhurst & Son, Preston.—Petition filed Sept. 16.

MEETINGS.

William Strange the elder, Navarino-grove, Dalston, Middlesex, bookseller, Sept. 30 at 1, Court of Bankruptcy, London, last ex.—*Edward Davis*, Northampton, currier, Oct. 7 at 1, Court of Bankruptcy, London, ex.—*Richard Matly*, Paul's-wharf, Upper Thames-street, London, fancy colour manufacturer, Oct. 6 at 11, Court of Bankruptcy, London, ex.—*Hen. Jas. Ellis*, Rotherhithe-wall, Rotherhithe, Surrey, iron-monger, Sept. 30 at 12, Court of Bankruptcy, London, last ex.—*Samuel Berry*, Barnstaple, Devonshire, grocer, Oct. 16 at 1, District Court of Bankruptcy, Exeter, last ex.—*Wm. Hanson*, Albion Wharf, Kensington Canal Basin, Warwick-road, Kensington, Middlesex, statuary and mason, Oct. 6 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Frederick Water Froggett* and *James Van Putten*, Mark-lane, London, corn merchants, Oct. 2 at 12, Court of Bankruptcy, London, aud. ac.—*George Colston Baylis*, Cardiff, Glamorganshire, dealer in flour, Oct. 2 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*W. Stothert*, *G. Wood*, *J. W. Little*, *J. C. Spender*, *Wm. Brunton*, *Joseph Rusher*, and *Wm. Henry Buckland*, Abchurch-lane, London, and *Maesteg*, Glamorganshire, iron manufacturers, Sept. 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Charles May*, Norwich, *Wm. L. Metcalfe*, Great Yarmouth, Norfolk, and *Charles J. Metcalfe*, Roston, Bedfordshire, soap manufacturers, Oct. 14 at half-past 1, Court of Bankruptcy, London, div.—*W. Jackson*, Orchard-street, Portman-sq., Middlesex, painter, Oct. 15 at 12, Court of Bankruptcy, London, div.—*John Protheroe* the younger, Bristol, iron merchant, Oct. 15 at 11, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry M. Arias and *Elijah Tucker*, Frith-st., Soho-sq., Middlesex, printers, Oct. 15 at 11, Court of Bankruptcy, London.—*Charles Salter* and *Richard Morris Evans*, Upper King-street, Bloomsbury, Middlesex, and Cornhill, London, tailors, Oct. 14 at 11, Court of Bankruptcy, London.—*Thos. Fitch*, Chester-place, Kennington, Surrey, commission agent, Oct. 14 at 1, Court of Bankruptcy, London.—*John William Creed*, Tilbury Fort, Essex, innkeeper, Oct. 14 at half-past 11, Court of Bankruptcy, London.—*Benjamin J. Benton*, White Horse-street, St. Dunstan, Stepney, Middlesex, corn merchant, Oct. 14 at 2, Court of Bankruptcy, London.—*Edwin Bliss*, Barbican, brushmaker, Oct. 16 at 11, Court of Bankruptcy, London.—*Wilfred Mooney* and *Thomas Wilson*, Liverpool, corn merchants, Oct. 10 at 11, District Court of Bankruptcy, Liverpool.—*John Owen*, Welshpool, Montgomeryshire, flannel manufacturer, Oct. 13 at 11, District Court of Bankruptcy, Liverpool.—*W. Baird*, Liverpool, paperhanger, Oct. 13 at 11, District Court of Bankruptcy, Liverpool.—*Samuel Cherry*, Liverpool, broker, Oct. 13 at 11, District Court of Bankruptcy, Liverpool.—*Constantine Phipps Henville*, Seatown Mills, Chidcock, Dorsetshire, miller, Oct. 16 at 1, District Court of Bankruptcy, Exeter.—*Henry Coates*, Birmingham, draper, Oct. 11 at half-past 10, District Court of Bankruptcy, Birmingham.—*John Percival*, Market Deeping, Lincolnshire, innkeeper, Oct. 10 at 10, District Court of Bankruptcy, Nottingham.—*Edw. G. Cuff*, Leicester, hotel keeper, Oct. 10 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

S. Manning, Union-place, New-road, Middlesex, statuary and mason.—*Geo. Thos. Minor*, Mount-street, Westminster-road, Lambeth, Surrey, linendraper.—*Chas. Bond*, Tiverton, near Bath, Somersetshire, tanner.—*Wm. Glasier*, Bristol, grocer.—*James Clark*, Exeter, builder.—*James Monkman*, Oldham, Lancashire, cotton spinner.—*James Hoyle* and *Thos. Hoyle*, Salford, Lancashire, cotton manufacturers.

SCOTCH SEQUESTRATIONS.

J. M'Clmont, Glasgow, tea merchant.—*John & A. Laing*, Dundee, merchants.—*James Cleland*, deceased, Glasgow.—*Alex. Dixon*, Paisley, ironfounders.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Charles Parkes, St. Asaph, Flintshire, painter, Sept. 29 at 11, County Court of Flintshire, at St. Asaph.—*Christopher Lacy*, Gloucester, out of business, Oct. 30 at 10, County Court

of Gloucestershire, at Gloucester.—*Samuel Locke*, Middleton, near Manchester, omnibus proprietor, Sept. 26 at 10, County Court of Lancashire, at Oldham.—*John A. Morgan*, Kidderminster, Worcestershire, market gardener, Sept. 24 at 9, County Court of Worcestershire, at Kidderminster.—*Edward Palmer*, Hambledon, Southampton, dairyman, Oct. 21 at 11, County Court of Hampshire, at Bishop's Waltham.—*Rich. Downs*, Wolverhampton, Staffordshire, labourer, Sept. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*C. Harper*, Wednesfield Heath, Wolverhampton, Staffordshire, out of business, Sept. 27 at 12, County Court of Staffordshire, at Wolverhampton.—*George Orsborn*, Southam, Warwickshire, out of business, Oct. 25 at 10, County Court of Warwickshire, at Southam.

The following Person, on his Petition filed in the Court, is required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Sept. 29 at 10, before the CHIEF COMMISSIONER.

Joseph Bell, Hereford-place, New Peckham, Surrey, surveyor of Inland Revenue.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Sept. 30 at 10, before the CHIEF COMMISSIONER.

John Martin the elder, North Cheam, Surrey, labourer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Oct. 4 at 10.

Emmeline Parsons Lillicrap, spinster, East Stonehouse, never in any business.—*Thomas Memery*, Torquay, bailiff.—*Henry Tozer Swardon*, Lower Brixham, master mariner.—*Jane Lewis*, Stonehouse, out of business.

At the County Court of Berkshire, at READING, Oct. 6.

Wm. Hall, Speenhamland, Newbury, bookseller.—*Aerva Parfitt*, Newbury, coach builder.

At the County Court of Sussex, at LEWES, Oct. 7.

William Henry Parsons, Brighton, private tutor.

INSOLVENT DEBTOR'S DIVIDEND.

Henry Pope, Clement's-lane, Strand, licensed victualler, *Alleyne & Co.'s*, Tunbridge Wells: 11s. in the pound.

LAW.—THE PARTNERSHIP hitherto existing between Mr. ROGER MILES, deceased, and Mr. CHARLES SMITH, of Cank-street, Leicester, Attornies and Solicitors, having been deterred by the death of Mr. Roger Miles, the Business of Attornies and Solicitors will be hereafter carried on by Mr. THOMAS MILES, the Nephew of the deceased, on his own account, at the Old Office, in Cank-street, and by Mr. CHARLES SMITH, (the late Partner of the late Mr. Roger Miles), on his own account, at his New Office, in Cank-street. Dated this 8th day of September, 1851.

Witness—*W. Gregory.* CHAS. SMITH.
THOS. MILES, Junr.

This day is published, in royal 8vo., price 7s. boards, **LORD CAMPBELL'S ACTS** for the further Improving the Administration of Criminal Justice and the better Prevention of Offences; together with the Act for the better Protection of Apprentices and Servants; and the Act for Amending the Law relating to the Expenses of Prosecutions; with Notes, Observations, and Indictments. By CHARLES SPRENGEL GREAVES, Esq., one of her Majesty's Counsel.

London: Late Wm. Benning & Co., Law Booksellers, 43, Fleet-street.

LOANS IN CONNEXION WITH LIFE ASSURANCE.
PELICAN LIFE INSURANCE COMPANY.
Established in 1797.

NOTICE.—The Directors are prepared to receive PROPOSALS for LOANS on APPROVED SECURITY, in sums of not less than £500, coupled with one or more Policies of Insurance to be effected in the Pelican Office. Applications to be made to the Secretary, at the Chief Office of the Company, No. 70, Lombard-street.

Printed by HENRY HANSARD, PRINTER, residing at No. 14, Park Square, Regent's Park, in the Parish of St. Marylebone, in the County of Middlesex, at his Printing Office, situate in Parker Street, in the Parish of St. Giles-in-the-Fields, in the County aforesaid; and Published at No. 3, CHANCERY LANE, in the Parish of St. Dunstan in the West, in the City of London, by HENRY SWEET, LAW BOOKSELLER and PUBLISHER, residing at No. 41, Great Coram Street, in the Parish of St. George, Bloomsbury, in the County of Middlesex.—Saturday, September 20, 1851.

The Jurist

No. 768—Vol. XV.

SEPTEMBER 27, 1851.

PRICE 1s.

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LONDON, SEPTEMBER 27, 1851.

In continuing our notice of the Report upon Common-law Process, Practice, and Pleading, we propose to consider its contents in the order in which they are discussed by the learned commissioners, and to state their suggestions, rather than to offer comments of our own.

The writ of summons is to be retained, but the statement therein of the form of action is to be omitted. The præcipe is to be filed and the writ to be sealed as at present. Concurrent writs are to be allowed. The duration of the writ of summons is to be six months, and it is to be renewed or continued, by a seal on the writ itself, from six months to six months within each period of six months. Instead of requiring service within the county named in it, or within 200 yards of its boundary, it may be served anywhere within the jurisdiction of the Court.

The *distringas*, whether to compel appearance or to proceed to outlawry, is to be abolished; and in the former case power is to be given to the court or judge to order that the plaintiff may proceed at once, as if the summons had been personally served.

Proceedings in outlawry, as hitherto conducted, are justly stigmatised as being unworthy of the jurisprudence of a civilised country. A reference is made to the conflict between the rule of law, that no man shall be outlawed who is not within the kingdom at the time of the exigent awarded, and the rule of practice adopted by the Courts, not to allow a *distringas* to issue for the purpose of proceeding to outlawry, unless it be established that the defendant is out of the kingdom at the time, so that the proceeding can practically only be instituted in cases where the result is sure to be erroneous. In lieu of the proceedings to outlawry, which are to be wholly abolished, it is proposed that a writ of summons may be served on a British subject resident abroad, and a notice of a writ having issued, may be served on any foreigner resident abroad.

The entry of an appearance by the plaintiff for the defendant is to be abolished, but the plaintiff, on making the usual affidavit, may proceed as though the defendant had been served. The defendant is to be at liberty to appear at any time before judgment, and then to have all pleadings delivered to him or his attorney; but if he appear after the time limited by the writ, he must give the plaintiff notice of it. The appearance is in all cases to state an address.

The misjoinder or non-joinder of parties is not to be fatal to any action; and upon a plea in abatement for non-joinder of a defendant, the plaintiff may amend his writ and declaration, and serve them upon the added defendant, such proceeding being, as between him and the plaintiff, the commencement of the suit. In actions by husband and wife, claims by the husband alone may be joined. In the case of the death of any party, the suit is to continue as to such part of the cause of action as would survive, and abate as to the rest.

The sensible and well-considered observations of the commissioners upon the subject of pleading are valuable at a time when its advocates and its opponents so widely differ in their views. The commissioners, while admitting that "on a system so simple and sound in principle defects and abuses have been engrafted, which have gone far to destroy its utility," are convinced of the necessity of some degree of strictness, so that the parties may not be taken by surprise, that they may know what is in dispute, and that the expense may be saved which would otherwise be incurred in coming to prove matters not intended to be controverted. (P. 12). Any one, who has had experience in the trial of causes, knows that there is no greater evil than uncertainty in these respects. The expenses of evidence, which are generally heavier than those of any other branch of the case, are much increased, and even after every precaution has been taken, by providing oral and documentary evidence, to meet what appeared to be every possible state of facts, parties are surprised by having a new one suddenly presented, which they are not prepared for.

answer, although they would have been so had they received notice of the real question intended to be fought by the other side. Again: by stating a cause of action or defence upon the record, questions may be decided upon demurrer, and the most expensive part of a suit, viz. the trial at Nisi Prius, may be altogether dispensed with. The former commissioners, aware of these disadvantages, recommended that all defences, except the mere denial of the facts alleged by the plaintiff, should be pleaded specially; and the present commissioners entirely concur with them in favour of an extended instead of a restricted use of pleading. They state, that since defendants have been compelled to specify their defence, fewer causes than formerly are tried in which the defendant appears merely for the purpose of watching and detecting defects in his adversary's proof. They, however, are of opinion, that where parties are agreed upon the question which they desire to have decided, they may raise it without pleading, and state their case after writ issued, instead of (as at present) after issue joined. It is also proposed, that disputed questions of fact may, by consent, be stated for the determination of a jury, without pleadings as in feigned issues.

The commissioners, though anxious to avoid uncertainty in pleading, are of opinion that particulars delivered with the *indebitatus* counts give sufficient information to the defendant, and therefore recommend such counts to be retained. The general issue, or other general plea by statute, however, under which any evidence may be given, is to be abolished*.

Fictions, with their absurd incidents, are to be got rid of. Imaginary findings and bailments are no longer to be suggested in *trover* and *detinue*; John Doe and Richard Roe are at length to be deposed; express colour and *absque hoc* are to be dispensed with. Fictitious and needless statements may be struck out, with or without costs.

If a pleading be so defective as to be calculated to embarrass or mislead, a summons is to be taken out to amend it. If the judge is of opinion that it is sufficient, his decision shall be final; if that it is insufficient, he may order it to be amended; and it is only in the event of the party pleading refusing to amend, that a special demurrer will be allowed. In all other cases special demurrers are to be abolished.

The court or a judge are to have power in all cases to set aside pleadings clearly frivolous or vexatious, or colourably amended.

Profert and *oyer* are to be done away with; but wherever inspection of any document can be had by bill of discovery, it should be obtainable in a court of law. This latter suggestion is now provided for by the new act for the amendment of the law relating to evidence.

Performance of conditions precedent, it is suggested, should be allowed to be averred generally, although the other party must specify what conditions he insists

* In the case of a plea of set-off, which resembles a declaration, should not the general replication of *nil debet*, under which almost any answer may be given in evidence, be disallowed? We know of a recent instance in which this replication to a set-off of a debt, due on a bill of exchange, greatly embarrassed the defendant.

have not been performed. The defendant should be at liberty to traverse an allegation, though such traverse may amount to, or be included in, the general issue; and the plaintiff is, in all cases, to be at liberty to traverse the averments in the plea, by a *general denial*. The same rule is to apply to rejoinders and subsequent proceedings, but the jury may be required to find as to the truth of the several matters put in issue, and costs be awarded accordingly, as though the findings had been on different issues.

It is recommended that whatever number of pleas may be upon the record, there shall be but one new assignment, which shall state that the plaintiff proceeds for causes of action different from or beyond those justified, and the defendant shall not be at liberty to plead, to the causes of action newly assigned, any justification which he has already pleaded.

In order to render the use of new assignments less frequent, parties are to be entitled to particulars of the cause of action, and of the justification in actions of trespass, and a judge may order plans of the locus in quo to be exchanged between them.

In actions for defamation, it is to be sufficient to state in what particular defamatory sense the words were used; and if the plaintiff prove to the satisfaction of the jury that they were used in that sense, which the defendant may deny under the general issue, no objection shall be allowed by reason that the words do not appear by independent statements to bear that meaning.

The rules as to duplicity, and pleading several counts and pleas, are found to work harshly, and it is suggested that discretion should be given to a judge to allow several counts or pleas, though there be only one subject-matter of complaint or defence; that the provision as to costs in that respect be altered; that all objections to pleas on this ground should be disposed of upon the summons to plead several matters; that the parties should be at liberty to *reply*, *rejoins*, &c. *several matters* by leave of the Court, and to *plead and demur* to the same pleading at the same time.

Forms of action are to be abolished, misjoinder of them is no longer to be an objection, and a plaintiff is to be at liberty, except in the action to try the title to land, to join in one action all his causes of complaint. A judge, however, may prevent the trial of different causes together, if such trial would be inexpedient.

In actions for liquidated demands, if there be indorsed on the back of the writ a substantial particular of the plaintiff's claim, if the defendant does not appear, the commissioners think the declaration may be safely dispensed with altogether. In such cases a fixed sum is to be allowed for costs, for which judgment may be signed, though the plaintiff may claim further costs, subject to taxation; and execution is not to issue until eight days have elapsed from the time for appearance. When a declaration is necessary, it, together with all subsequent pleadings, is to be much simplified.

The time for pleading is in all cases to be eight days. The rule to plead and notice to plead are to be abolished, and the demand of a plea is to be always indorsed on the declaration. No leave to plead several matters is to be necessary, where the opposite party indorses a consent on an abstract of the pleas, or where

the rule is now obtained as of course; the rule to plead several matters is to be abolished, the judge's order, where it is necessary, sufficing in all cases.

The signature of counsel to pleadings is no longer to be required.

Judgment is to be final, whenever the demand is for a liquidated amount; whenever it is substantially a matter of calculation, the damages may be assessed by the Master, but in no case shall a rule to compute be necessary. Where actions are brought against persons residing abroad, there is to be, in all cases, an inquiry before the Master as to the reality and amount of the demand. The form of judgment, in all cases where money is recovered, is to be assimilated.

The period for notice of trial is to be the same in all cases.

The *Nisi Prius* record is to be retained, but not to be sealed, passed, or resealed.

The useful part of the jury process—namely, the panel—is to remain; but the useless and expensive writs—of *venire*, and *distringas*, and *habeas corpora*—are to be abolished.

Instead of appointing a separate special jury for every cause, it is proposed that in all the counties, except in London and Middlesex, a certain number shall be summoned for trying all the special jury causes at the assizes.

The admission of handwriting, under the present system, is shewn to be often productive of much needless expense, and it is proposed that the notice to admit shall have the same effect as the order of the judge, so that, in case of refusal, the cost of proving the document shall be paid by the party refusing, whatever may be the result of the cause, unless on the trial the judge shall certify that the admission required was unreasonable; and he, as it is stated, can certainly best determine that question.

In cases tried after term, it is proposed that execution should follow verdict in fourteen days, with power, however, to the judge to enlarge or diminish that period.

Ground writs, i. e. the preliminary writ which is supposed to issue in the county where the venue is laid, before a writ issues into another county, are to be abolished.

Writs are to issue to the sheriffs of the counties palatine at once, instead of going in the first instance to the Chancellor.

All execution creditors, under every kind of execution, are to be entitled to levy expenses.

Writs of execution are to be in force for one year, with power of renewal.

The attorney in the cause is to have authority to discharge the opposite party out of execution upon a *ca. sa.*, so far as the sheriff is concerned, unless such sheriff has received notice from the client to the contrary.

A person already in prison may be charged in execution simply by order of a judge, on the affidavit of the party that the judgment has been signed and not satisfied.

During the lives of the parties to a judgment, exe-

cution may issue within six years from its recovery, without a *scire facias*, and after that time, and in other cases where a *scire facias* is now necessary, a party is to be allowed to resort to it, or to apply for leave to enter a suggestion upon the roll. The *scire facias* is to be directed to the party instead of to the sheriff, to bear teste on the day of its issuing, and to call on the party to appear in eight days, and should be otherwise proceeded upon in the same manner as a writ of summons in an ordinary action.

Motions in arrest of judgment, or for judgment non obstante veredicto, are to be allowed only upon the terms of payment, by the party moving, of all costs occasioned by the trial; and the Court shall have power to make all such amendments as appear by the judge's notes, or other satisfactory proof, to be justified; and if the defect be the omission of a material fact, the party in fault may be allowed to suggest the truth of such omitted fact. The principle of this last alteration the commissioners state to be sanctioned by the stat. 21 Jac. 1, c. 13, s. 2.

No error is to be assigned, except on a judgment of the Court actually given on demurrer or motion to arrest judgment or set aside the verdict, or for judgment non obstante veredicto. This regulation is not to extend to error on bills of exceptions.

The writ of error, assignment of error in law, and joinder in error may be dispensed with, and the party alleging error in law is to deliver to the Master a memorandum to that effect; the Master is to deliver to him a note of its receipt, which he is to serve on his adversary, with a statement of some substantial ground of error to be argued. The proceeding is to be the same for error in fact, but the errors must then be assigned and pleaded to as at present. Errors in fact are to be verified by affidavit. The transcript of the roll is unnecessary, and a memorandum of the alleged error is to be made on the roll. Six years are to be substituted for twenty as the time for bringing error, and the Court of Error shall have power to give such judgment &c. as the Court below ought to have given.

As to amendments, a general enactment is recommended, to the effect that all defects and errors may be amended.

The commissioners then deal with that mass of absurdity, the action of ejectment. They are of opinion that an equitable jurisdiction, as ample as that which was exercised in Lord Mansfield's time, should now be exercised over this action*. For the present proceedings by ejectment, it is proposed to substitute a writ directed to all persons in possession and entitled to defend, and describing the property in question. They should be commanded to appear in a given number of days; and the proceedings thereupon are rendered simple, and much the same as in other actions. (Pp. 58 et seq.)

Specimens of forms of pleadings, which are brief and simple, will be found in Appendix (C.), pp. 86—90. The following are the declaration, pleas, and replications in an action for breach of promise of marriage:—

* They also adopt, as we have seen, Lord Mansfield's opinion, that inspection of documents should be allowed in all cases where a bill of discovery may be filed.

"In the Queen's Bench.

"On the — day of —, in the year of our Lord 1851.

"Middlesex, to wit.—A. B., by E. F., her attorney, sues C. D., for that on &c. the plaintiff and the defendant agreed to marry one another, and a reasonable time for such marriage has elapsed, and the plaintiff has always been ready and willing to marry the defendant, yet the defendant has neglected and refused to marry the plaintiff, and the plaintiff claims £—.

"Pleas—1*. The defendant, by —, his attorney, says that he did not promise, as alleged.

2. And for a second plea the defendant says that the alleged cause of action did not accrue within six years before this suit.

"Replications.—The plaintiff joins issue upon the defendant's pleas."

Such, in addition to the proposed alterations, which we previously noticed, as to court fees, are substantially the suggestions of the learned commissioners appointed to inquire into the practice and system of pleading in our superior courts of common law. They may not fully satisfy the popular demand for reform, but to the lawyer fully acquainted with the present system, and aware of the consequences which would follow were these suggestions adopted, it is obvious that the change would be great and sweeping; that the administration of justice, instead of being complicated and costly, would be simplified, cheapened, and popular. It would, however, still be required to be speedy, and we think there must be, at least, four circuits a year, so that justice may be dispensed every three months throughout the length and breadth of the kingdom. These circuits might take place at the time when quarter sessions are held, and perhaps might supersede them altogether.

We trust that the Blue Book which we have been analysing will not be treated like so many former reports, only as waste paper, but that its valuable recommendations, which abound in practical good sense, may be at length adopted. Such a result would, undoubtedly, tend to the advantage of the legal Profession, as well as of the public at large.

PUBLIC GENERAL STATUTES.

14 & 15 VICTORÆ.—SESSION 4.

(Continued from p. 330).

CAP. LVI.

An Act to sanction the Service by Post of Notices relative to the Proceedings of certain Charitable Institutions, and to make further Provision as to the Service of such Notices in future. [1st August, 1851.]

CAP. LVII.

An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors. [1st August, 1851.]

* It is suggested by the commissioners that the pleas should be numbered.

CAP. LVIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mate, and Serjeant Majors of the Militia; and to authorise the Employment of the Non-commissioned Officers.

[1st August, 1851.]

CAP. LIX.

An Act to continue certain of the Allowances of the Duty of Excise on Soap used in Manufactures.

[1st August, 1851.]

CAP. LX.

An Act to prevent the Assumption of certain Ecclesiastical Titles in Respect of Places in the United Kingdom.

[1st August, 1851.]

Sect. 1. *Briefs, Rescripts, or Letters Apostolical declared unlawful and void.*

2. *Persons procuring, publishing, or putting in Use any such Brief, &c. for constituting Archbishops, Bishops, &c. of pretended Provinces, Sees, or Dioceses, liable to a Penalty of 100l. for every Offence. Recovery of Penalties.*

3. *Act not to extend to Bishops of the Protestant Episcopal Church in Scotland.*

4. *Nothing to affect Provisions of 7 & 8 Vict. c. 97.*

Whereas divers of her Majesty's Roman Catholic subjects have assumed to themselves the titles of archbishop and bishops of a pretended province, and of pretended sees or dioceses, within the United Kingdom, under colour of an alleged authority given to them for that purpose by certain briefs, rescripts, or letters apostolical from the See of Rome, and particularly by a certain brief, rescript, or letters apostolical purporting to have been given at Rome on the 29th of September, 1850: and whereas by the act 10 Geo. 4, c. 7, [s. 24,] after reciting that the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline, and government thereof, and likewise the Protestant Presbyterian Church of Scotland, and the doctrine, discipline, and government thereof, were by the respective Acts of Union of England and Scotland, and of Great Britain and Ireland, established permanently and inviolably, and that the right and title of archbishops to their respective provinces, of bishops to their sees, and of deans to their deaneries, as well in England as in Ireland, had been settled and established by law, it was enacted, that if any person after the commencement of that act, other than the person thereunto authorised by law, should assume or use the name, style, or title of archbishop of any province, bishop of any bishopric, or dean of any deanery, in England or Ireland, he should for every such offence forfeit and pay the sum of 100l.: and whereas it may be doubted whether the recited enactment extends to the assumption of the title of archbishop or bishop of a pretended province or diocese, or archbishop or bishop of a city, place, or territory, or dean of any pretended deanery, in England or Ireland, not being the see, province, or diocese of any archbishop or bishop or deanery of any dean recognised by law; but the attempt to establish, under colour of authority from the See of Rome or otherwise, such pretended sees, provinces, dioceses, or deaneries, is illegal and void: and whereas it is expedient to prohibit the assumption of such titles in respect of any places within the United Kingdom: be it therefore declared and enacted &c., that—

1. All such briefs, rescripts, or letters apostolical, and all and every the jurisdiction, authority, pre-eminence, or title conferred or pretended to be conferred thereby, are and shall be and be deemed unlawful and void.

2. That if, after the passing of this act, any person shall obtain or cause to be procured from the Bishop or See of Rome, or shall publish or put in use within any part of the United Kingdom, any such bull, brief, rescript, or letters apostolical, or any other instrument or writing, for the purpose of constituting such archbishops or bishops of such pretended provinces, sees, or dioceses within the United Kingdom, or if any person, other than a person thereunto authorised by law in respect of an archbishopric, bishopric, or deanery of the United Church of England and Ireland, assume or use the name, style, or title

of archbishop, bishop, or dean of any city, town, or place, or of any territory or district, (under any designation or description whatsoever), in the United Kingdom, whether such city, town, or place, or such territory or district, be or be not the see or the province, or co-extensive with the province, of any archbishop, or the see or the diocese, or co-extensive with the diocese, of any bishop, or the seat or place of the church of any dean, or co-extensive with any deanery, of the said United Church, the person so offending shall for every such offence forfeit and pay the sum of 100*l.*, to be recovered as penalties imposed by the recited act may be recovered under the provisions thereof, or by action of debt at the suit of any person in one of her Majesty's superior courts of law, with the consent of her Majesty's Attorney-General in England and Ireland, or her Majesty's Advocate in Scotland, as the case may be.

3. This act shall not extend or apply to the assumption or use by any bishop of the Protestant Episcopal Church in Scotland exercising episcopal functions within some district or place in Scotland of any name, style, or title in respect of such district or place; but nothing herein contained shall be taken to give any right to any such bishop to assume or use any name, style, or title which he is not now by law entitled to assume or use.

4. That nothing herein contained shall be construed to annul, repeal, or in any manner affect any provision contained in an act passed in the 7 & 8 Vict. [c. 97.] intituled "An Act for the more effectual Application of Charitable Donations and Bequests in Ireland."

CAP. LXI.

An Act for providing a Metropolitan Market and Conveniences connected therewith in Lieu of the Cattle Market at Smithfield. — [1st August, 1851.]

CAP. LXII.

An Act to alter certain Duties of Customs, and to enable the Treasury to regulate the Mode of keeping the Account between the Receiver-General of Customs and the Bank of England. — [7th August, 1851.]

CAP. LXIII.

An Act for the Settlement of the Boundaries between the Provinces of Canada and New Brunswick. — [7th August, 1851.]

CAP. LXIV.

An Act to repeal the Act for constituting Commissioners of Railways. — [7th August, 1851.]

CAP. LXV.

An Act to continue certain temporary Provisions relating to the Collection of Grand Jury Cess in Ireland; and also to provide for the due Annexation of an isolated District, formerly of the County of Dublin, to a Barony of the County of Wicklow, for the Purposes of Grand Jury Cess and other Purposes. — [7th August, 1851.]

CAP. LXVI.

An Act for rebuilding the Bridge over the River Ness, at the Town of Inverness, and improving the Approaches thereto; and for amending the Acts relating to Highland Roads and Bridges. — [7th August, 1851.]

CAP. LXVII.

An Act to repeal so much of an Act of the twelfth Year of King George III, relating to the making, keeping, and Carriage of Gunpowder, as exempts therefrom certain Gunpowder Magazines and Stores near Liverpool, and to make certain temporary Provisions with regard to the said Magazines and Stores. — [7th August, 1851.]

CAP. LXVIII.

An Act to provide for the better Distribution, Support, and Management of Medical Charities in Ireland; and to amend an Act of the eleventh Year of her Majesty, to provide for the Execution of the Laws for the Relief of the Poor in Ireland. — [7th August, 1851.]

CAP. LXIX.

An Act to continue an Act of the twelfth Year of her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. — [7th August, 1851.]

CAP. LXX.

An Act to alter and amend certain Provisions of the Lands Clauses Consolidation Act, 1845, so far as relates to Ireland. — [7th August, 1851.]

CAP. LXXI.

An Act to repeal certain Statutes relating to the Irish Branch of the United Church of England and Ireland. — [7th August, 1851.]

CAP. LXXII.

An Act to consolidate and amend the Laws relating to the Erection and Endowment of Churches and Chapels and Perpetual Curacies in Ireland. — [7th August, 1851.]

CAP. LXXIII.

An Act to consolidate and amend the Laws relating to Ecclesiastical Residences in Ireland. — [7th August, 1851.]

CAP. LXXIV.

An Act to amend an Act of the eleventh and twelfth Years of her Majesty, relating to Poor-rate Poundage and the Valuation of Ecclesiastical Property in Ireland; and to provide for the Renewal of Leases of Lands disappropriated from Bishopricks. — [7th August, 1851.]

CAP. LXXV.

An Act to amend and continue the Metropolitan Sewers Acts. — [7th August, 1851.]

Sect. 1. Appointment of a chairman and deputy chairman of commissioners of sewers.

2. Salary of chairman.

3. The chairman or deputy chairman to preside at courts of sewers.

4. Two commissioners (one being the chairman or deputy chairman) to be a quorum (except as after mentioned).

5. Rates to be made and mortgages authorised by no less than six commissioners (the chairman being one).

6. Metropolitan Sewers Acts (11 & 12 Vict. c. 112, and 12 & 13 Vict. c. 93) to continue in force for one year.

CAP. LXXVI.

An Act to extinguish the Right of the Crown to Deer in the New Forest, and to give Compensation in Lieu thereof; and for other Purposes relating to the said Forest. — [7th August, 1851.]

CAP. LXXVII.

An Act to alter and extend the Powers of an Act of the ninth and tenth Years of her Majesty's Reign, intituled "An Act to empower the Commissioners of her Majesty's Woods to form a Royal Park in Battersea-fields, in the County of Surrey." — [7th August, 1851.]

CAP. LXXVIII.

An Act to continue and amend an Act for establishing an Office for the Benefit of the Coalwhippers of the Port of London. — [7th August, 1851.]

CAP. LXXIX.

An Act to consolidate and amend the Laws relating to the Regulation of Steam Navigation, and to the Boats and Lights to be carried by Sea-going Vessels. — [7th August, 1851.]

CAP. LXXX.

An Act for confirming a certain Provisional Order of the General Board of Health, for applying the Public Health Act, 1848, to the Borough of Great Yarmouth, in the County of Norfolk. — [7th August, 1851.]

CAP. LXXXI.

An Act to authorise the Removal from India of Insane Persons charged with Offences, and to give better Effect to Inquisitions of Lunacy taken in India.

[7th August, 1851.]

CAP. LXXXII.

An Act to simplify the Forms of Appointments to certain Offices, and the Manner of passing Grants under the Great Seal.

[7th August, 1851.]

Sect. 1. So much of the 27 Hen. 8, c. 11, as relates to warrants for passing grants, &c. under the Great Seal, repealed.

2. Authority for passing grants under the Great Seal. Signet and Privy Seal Bills, &c. dispensed with.

3. Offices of clerks of signet and privy seal abolished.

4. Compensation to persons holding abolished offices, or sustaining loss of emolument.

5. Duties of signet office (not superseded by this act) to be performed in office of Secretary of State.

6. Power to Treasury to regulate the Privy Seal Office, and fix salaries.

7. Lord Chancellor and Secretary of State may make rules concerning the passing of letters-patent.

8. Act not to affect letters-patent, &c. not passed through Signet and Privy Seal Offices.

9. Nor rights, &c. of Lord Chancellor.

10. Commencement of act.

CAP. LXXXIII.

An Act to improve the Administration of Justice in the Court of Chancery and in the Judicial Committee of the Privy Council.

[Printed ante, p. 299.]

CAP. LXXXIV.

An Act to alter and amend an Act empowering the Canterbury Association to dispose of certain Lands in New Zealand.

[7th August, 1851.]

CAP. LXXXV.

An Act further to amend an Act of the sixth Year of King William IV, to consolidate and amend the Laws relating to the Constabulary Force in Ireland.

[7th August, 1851.]

CAP. LXXXVI.

An Act to regulate the Affairs of certain Settlements established by the New Zealand Company in New Zealand.

[7th August, 1851.]

CAP. LXXXVII.

An Act to regulate certain Proceedings in Relation to the Elections of Representative Peers for Scotland.

[7th August, 1851.]

CAP. LXXXVIII.

An Act for amending the several Acts for the Regulation of Attornies and Solicitors.

[7th August, 1851.]

Sect. 1. *Provisions of recited Acts relating to the Admission and Inrolment as Attornies of Bachelors of Arts or Laws at Dublin extended to Degree of Bachelor of Arts and of Laws in Queen's University in Ireland.*

2. *Certain Provisions of former Acts as to Persons bound for five Years, &c., extended to Students of Queen's Colleges attending Lectures and passing Examinations in Faculty of Law during two collegiate Years.*

3. *Privileges given by recited Act to Bachelors of Arts or of Laws in the Universities of Oxford, Cambridge, Dublin, &c., as to Attornies' Admission in England, extended to Bachelors of Arts or Laws in the Queen's University.*

4. *Certificate of Vice-Chancellor of Dublin University, &c., or of Dean of Faculty, to be sufficient Evidence.*

Whereas, by an act passed in the session of Parliament held in the 1 & 2 Geo. 4, [c. 48.] intituled "An Act to amend the several Acts for the Regulation of Attornies and Solicitors,"

and which was afterwards amended by an act passed in the 3 Geo. 4, [c. 16.] intituled "An Act to amend an Act made in the last session of Parliament for amending the several Acts for the Regulation of Attornies and Solicitors," provision was made for facilitating the admission of graduates of the Universities of Oxford, Cambridge, and Dublin, and the pupils of practising barristers and of certificated special pleaders, as attornies and solicitors of the courts of law and equity, in manner and upon the conditions in the said acts mentioned: and whereas, by an act of the 6 & 7 Vict. c. 73, the said recited acts have been repealed, except so far as the attornies and solicitors of Ireland are affected thereby, but the same are still in force as regards Ireland and the attornies and solicitors of Ireland: and whereas since the passing of the said recited acts the Queen's Colleges of Belfast, Cork, and Galway have been founded by letters-patent of her Majesty Queen Victoria, under the Great Seal of Ireland, under the authority of an act passed in a session of Parliament held in the 8 & 9 Vict. [c. 66.] intituled "An Act to enable her Majesty to endow new Colleges for the Advancement of Learning in Ireland:" and whereas by the said letters-patent a faculty of law has been established in each of the said Queen's Colleges: and whereas since the passing of the last-mentioned act a body politic and corporate has been constituted by the royal charter of her Majesty Queen Victoria, under and by the name of "The Queen's University in Ireland:" and whereas it is expedient that certain of the provisions now in force of the said two first-recited acts should be extended to students who have obtained or shall hereafter obtain the degree of Bachelor of Arts or the degree of Bachelor of Laws in the said Queen's University in Ireland, and to students of the University of Dublin or of the said Queen's Colleges who have attended and who shall attend the lectures of the professors of the faculty of law in the said University of Dublin or any of the said Queen's Colleges: be it therefore enacted, &c.,

Sect. 1. That from and after the passing of this act all the provisions, regulations, conditions, and restrictions of the said two first-recited acts now in force, (as regards that part of the United Kingdom of Great Britain and Ireland and the attornies or solicitors of Ireland), for or relating to the admission and inrolment as attornies and solicitors of persons who have taken or shall hereafter take the degree of Bachelor of Arts or Bachelor of Laws in the University of Dublin, shall extend and be applicable to the admission and inrolment as attornies and solicitors of all persons who have taken or shall hereafter take the degree of Bachelor of Arts or the degree of Bachelor of Laws in the said Queen's University in Ireland, as fully and effectually as if the said body politic and corporate called "The Queen's University in Ireland" had been constituted and founded at the time of the passing of the said acts, and had been therein named together with the said University of Dublin, and as if the degree of Bachelor of Arts and the degree of Bachelor of Laws of the said Queen's University had been in the said acts named together with the degrees of Bachelor of Arts and Bachelor of Laws of the said University of Dublin.

2. That every person who, as a matriculated or as a non-matriculated student of the University of Dublin, or of any of the said Queen's Colleges, shall have attended or shall attend any prescribed lectures, and shall have passed or shall pass any prescribed examinations of the professors of the faculty of law in the said University of Dublin, or in any of the said Queen's Colleges, for a period of two collegiate years, and who shall have duly served as an apprentice or clerk, by contract in writing, duly stamped at or before the signing thereof, or within six months after, for the term of four years, in like manner as by the provisions now in force of the said two hereinbefore first-recited acts is directed respecting the service for the term of five years, shall, at any time after the expiration of five years from the commencement of such attendance on lectures, or of such period of service, which shall first happen, be qualified to be sworn and to be admitted as an attorney or solicitor respectively, according to the nature of his service, of the several and respective superior courts of law or equity in Ireland, as fully and effectually, to all intents and purposes, as any person having been bound and having served five years is qualified to be sworn and to be admitted or inrolled an attorney or solicitor, under or by virtue of any act or acts now in force for the regulation of attornies or solicitors in Ireland, anything in the said acts, or any of them, to the contrary in anywise notwithstanding.

3. And whereas, under the provisions of the said recited act of the 6 & 7 Vict., certain privileges were granted to any person seeking to be admitted and inrolled as an attorney or solicitor in England or Wales, and who shall have taken or who shall take the degree of Bachelor of Arts within six years after his matriculation, or the degree of Bachelor of Laws within eight years after his matriculation, in the University of Oxford, or of Cambridge, or of Dublin, or of Durham, or of London, and who shall in manner therein mentioned be bound by contract in writing to serve as a clerk to a practising attorney or solicitor in England or Wales, and shall have continued in such service, and have been employed as in the said act respectively mentioned, and been examined and sworn as in the said act directed: be it enacted, that the like privileges, subject to the like regulations, conditions, and restrictions, shall be extended to persons who shall have taken the degree of Bachelor of Arts or Bachelor of Laws in the said Queen's University, as if the said Queen's University, and the degree of Bachelor of Arts and the degree of Bachelor of Laws of the said Queen's University, had been in the said act named together with the said Universities of Oxford, Cambridge, Dublin, and Durham, and London, and with the degrees of Bachelor of Arts and Bachelor of Laws in the said Universities of Oxford, Cambridge, Dublin, Durham, or London.

4. Provided always, that the Court or other sufficient authority in Ireland to whom any such student shall apply to be admitted as an attorney or solicitor shall receive the certificate of the Vice-Chancellor of the University of Dublin, or such other certificate as shall be appointed by the Board of Senior Fellows of the said University, or of the Dean of the Faculty of Law for the time being of any of the said Queen's Colleges, as sufficient evidence of the student named in such certificate having duly attended the prescribed lectures, and passed the prescribed examinations of the Professors of the Faculty of Law in such college for the said period of two collegiate years, and of the time of the commencement of the attendance of such student upon such lectures.

CAP. LXXXIX.

An Act to amend the Metropolitan Interment Act, 1850, and to authorise the Advances of Public Money to a limited Amount for the Purposes of the said Act.

[7th August, 1851.]

CAP. XC.

An Act for the better Collection of Fines, Penalties, Issues, Amerciaments, and forfeited Recognisances in Ireland.

[7th August, 1851.]

CAP. XCI.

An Act to authorise the Application of Advances (out of Money now authorised to be advanced for the Improvement of Landed Property) to facilitate Emigration from certain Distressed Districts of Scotland.

[7th August, 1851.]

CAP. XCII.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise summary Jurisdiction in Ireland.

[7th August, 1851.]

CAP. XCIII.

An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in Ireland.

[7th August, 1851.]

CAP. XCIV.

An Act to define and amend the Mineral Customs of certain Parts of the Hundred of High Peak, in the County of Derby, Part of the Possessions of her Majesty's Duchy of Lancaster; to make Provision for the better Administration of Justice in the Barmote Courts therein; and to improve the Practice and Proceedings of the said Courts.

[7th August, 1851.]

Sect. 1. Short title.

2. Interpretation clause.

3. Steward.

4. Steward may appoint a deputy.

5. Duties of steward.

6. Courts to be held.
7. Business at barmote courts.
8. Seal of the courts.
9. Barmasters.
10. Barmaster not to be answerable for his deputies.
11. Removal of deputy barmasters.
12. Barmasters to take oath.
13. Duties of head barmaster.
14. Duties of deputy barmasters.
15. Courts to be courts of record.
16. Jurisdiction and customs.
17. Practice of courts.
18. Examination of parties.
19. False evidence perjury.
20. Penalty for refusing to give evidence.
21. Penalty for insulting steward, or disturbance.
22. Grand jury.
23. Duties of grand jury.
24. Small barmote courts.
25. Service of summons. Proviso in case defendant shall refuse to appear or plead.
26. Proviso in case plaintiff shall not proceed in the action.
27. New trials.
28. Costs.
29. Appeal.
30. Pleadings not to be repeated.
31. Service of subpoenas on witnesses good in any part of England.
32. Execution may be issued against mineral property, and the same sold by the barmaster.
33. Warrants and executions to be returned to steward's office.
34. Jurors at small barmote courts.
35. Ballot and challenge of jurors.
36. Provision in case of more than one cause.
37. Penalty on jurors for non-attendance.
38. Penalty on grand jurors for non-attendance.
39. Exemption from serving on jury.
40. Subpoenas.
41. Execution may be superseded.
42. Barmaster not to be liable.
43. Steward not to be liable.
44. Register of summonses, &c.
45. Documents in custody of steward to be open to inspection.
46. Interpleader clause.
47. Penalties.
48. Forms of proceedings.
49. Fees.
50. Application of penalties.
51. Limitation.
52. Removal of proceedings.
53. Costs.
54. Proceedings pending.
55. Parties may proceed in any other court than small barmote court.
56. Power to make new rules.
57. Saving rights of the Crown.

CAP. XCV.

An Act for transferring the Duties of paving, lighting, watering, and cleansing Parts of the Crown Estate in the District of the Regent's Park and certain Streets and Places in Westminster from the Commissioners acting under several Acts of their late Majesties King George IV and King William IV to the Parishes; and for transferring the Jurisdiction of the said Commissioners over certain other Places in Westminster to the Commissioners of her Majesty's Works and Public Buildings; and for other Purposes.

[7th August, 1851.]

CAP. XCVI.

An Act to amend the Mercantile Marine Act, 1850.

[7th August, 1851.]

CAP. XCVII.

An Act to amend the Church Building Acts.

[7th August, 1851.]

CAP. XCVIII.

An Act for confirming certain Provisional Orders of the General Board of Health. [7th August, 1851.]

CAP. XCIX.

An Act to amend the Law of Evidence. [7th August, 1851.]
[Printed ante, p. 282.]

CAP. C.

An Act for further improving the Administration of Criminal Justice. [7th August, 1851.]

- Sect. 1. *The Court may amend certain Variances not material to the Merits of the Case, and by which the Defendant cannot be prejudiced in his Defence, and may either proceed with or postpone the Trial to be had before the same or another Jury.*
2. *Verdicts and Judgments valid after Amendments.*
3. *Records to be drawn up in amended Form, without noticing the Amendments.*
4. *The Means by which the Injury was inflicted need not be specified in Indictments for Murder and Manslaughter.*
5. *Forms of Indictment in Cases of Forgery, and uttering, stealing, and embezzling, or obtaining by false Pretences.*
6. *In engraving Plates, &c.*
7. *In other Cases.*
8. *Intent to defraud particular Persons need not be alleged or proved in Cases of Forgery, uttering, or false Pretences.*
9. *A Party indicted for Felony or Misdemeanour may be found guilty of an Attempt to commit the same, and shall be liable to the same Consequences as if charged with and convicted of the Attempt only. No Person so tried to be afterwards prosecuted for the same.*
10. *Repeal of the 11th Section of 7 Will. 4 & 1 Vict. c. 85.*
1. *On the Trial of an Indictment for Robbery the Jury may convict of an Assault with Intent to rob. No Person so tried to be afterwards prosecuted for the same.*
12. *Person tried for Misdemeanour not to be acquitted if the Offence turn out to be Felony, unless the Court so direct.*
13. *Person indicted for Embezzlement as a Clerk, &c. not to be acquitted if the Offence turn out to be Larceny, and vice versa.*
14. *Upon an Indictment for jointly receiving, Persons guilty of separately receiving may be convicted.*
15. *Separate Accessories and Receivers may be included in the same Indictment in the Absence of the principal Felon.*
16. *Three Larcenies from the same Person within six Months may be included in the same Indictment.*
17. *Where a single Taking is charged, the Prosecutor not required to elect, unless it appear that there were more than three Takings, or more than six Months between the first and last Taking.*
18. *Coin and Bank Notes may be described simply as Money.*
19. *Certain Provisions of 23 Geo. 2, c. 11, and 31 Geo. 3, (1), extended. Any Court, Judge, Justice, &c. may direct a Person guilty of Perjury in any Evidence, &c. to be prosecuted; and commit the Party, unless he enter into Recognisance to appear and take his Trial, and bind Persons to give Evidence; and give Certificate of Prosecution being directed, which shall be sufficient Evidence of the same.*
20. *Extending the 23 Geo. 3, c. 11, s. 1, to other Offences, and simplifying Indictments for Perjury and other like Offences.*
21. *Extending the 23 Geo. 2, c. 11, s. 2, as to Form of Indictments for Subornation of Perjury, and other like Offences.*

22. *On Trials for Perjury and Subornation a Certificate of the Trial of the Indictment on which the Perjury was committed sufficient Evidence of such Trial.*
23. *Venue in the Margin sufficient, except where local Description is necessary.*
24. *What Defects shall not vitiate an Indictment.*
25. *Formal Objections to Indictments shall be taken before Jury are sworn. Court may amend any formal Defect.*
26. *Repealing Part of 60 Geo. 3 & 1 Geo. 4, c. 4, as to the Traverse of Indictments in Cases of Misdemeanour.*
27. *Provision as to traversing Indictments.*
28. *Provision as to Plea of autrefois convict or autrefois acquit.*
29. *Punishment for certain indictable Misdemeanours.*
30. *Interpretation of Terms.*
31. *Commencement of Act.*
32. *Not to extend to Scotland.*

Whereas offenders frequently escape conviction on their trials by reason of the technical strictness of criminal proceedings in matters not material to the merits of the case: and whereas such technical strictness may safely be relaxed in many instances, so as to insure the punishment of the guilty, without depriving the accused of any just means of defence: and whereas a failure of justice often takes place on the trial of persons charged with felony and misdemeanour by reason of variances between the statement in the indictment on which the trial is had and the proof of names, dates, matters, and circumstances therein mentioned, not material to the merits of the case, and by the misstatement whereof the person on trial cannot have been prejudiced in his defence: be it therefore enacted, &c., as follows:—

Sect. 1. From and after the coming of this act into operation, whenever on the trial of any indictment for any felony or misdemeanour there shall appear to be any variance between the statement in such indictment and the evidence offered in proof thereof, in the name of any county, riding, division, city, borough, town corporate, parish, township, or place mentioned or described in any such indictment, or in the name or description of any person or persons, or body politic or corporate, therein stated or alleged to be the owner or owners of any property, real or personal, which shall form the subject of any offence charged therein, or in the name or description of any person or persons, body politic or corporate, therein stated or alleged to be injured or damaged, or intended to be injured or damaged, by the commission of such offence, or in the Christian name or surname, or both Christian name and surname, or other description whatsoever, of any person or persons whomsoever therein named or described, or in the name or description of any matter or thing whatsoever therein named or described, or in the ownership of any property named or described therein, it shall and may be lawful for the Court before which the trial shall be had, if it shall consider such variance not material to the merits of the case, and that the defendant cannot be prejudiced thereby in his defence on such merits, to order such indictment to be amended, according to the proof, by some officer of the Court or other person, both in that part of the indictment where such variance occurs, and in every other part of the indictment which it may become necessary to amend, on such terms, as to postponing the trial to be had before the same or another jury, as such Court shall think reasonable; and after any such amendment the trial shall proceed, whenever the same shall be proceeded with, in the same manner in all respects, and with the same consequences, both with respect to the liability of witnesses to be indicted for perjury and otherwise, as if no such variance had occurred; and in case such trial shall be had at Nisi Prius the order for the amendment shall be indorsed on the postea, and returned together with the record, and thereupon such papers, rolls, or other records of the court from which such record issued as it may be necessary to amend shall be amended accordingly by the proper officer, and in all other cases the order for the amendment shall either be indorsed on the indictment or shall be ingrossed on parchment, and filed, together with the indictment, among the records of the court: provided that in all such cases where the trial shall be so postponed as aforesaid, it shall be lawful for such Court to respite the recognisances of the prosecutor and witnesses, and of the defend-

ant, and his surety or sureties, if any, accordingly, in which case the prosecutor and witnesses shall be bound to attend to prosecute and give evidence respectively, and the defendant shall be bound to attend to be tried, at the time and place to which such trial shall be postponed, without entering into any fresh recognisances for that purpose, in such and the same manner as if they were originally bound by their recognisances to appear and prosecute or give evidence at the time and place to which such trial shall have been so postponed: provided also, that where any such trial shall be to be had before another jury the Crown and the defendant shall respectively be entitled to the same challenges as they were respectively entitled to before the first jury was sworn.

2. Every verdict and judgment which shall be given after the making of any amendment under the provisions of this act shall be of the same force and effect in all respects as if the indictment had originally been in the same form in which it was after such amendment was made.

3. If it shall become necessary at any time for any purpose whatsoever to draw up a formal record in any case where any amendment shall have been made under the provisions of this act, such record shall be drawn up in the form in which the indictment was after such amendment was made, without taking any notice of the fact of such amendment having been made.

4. In any indictment for murder or manslaughter preferred after the coming of this act into operation it shall not be necessary to set forth the manner in which or the means by which the death of the deceased was caused, but it shall be sufficient in every indictment for murder to charge that the defendant did feloniously, wilfully, and of his malice aforethought kill and murder the deceased, and it shall be sufficient in every indictment for manslaughter to charge that the defendant did feloniously kill and slay the deceased.

5. In any indictment for forging, uttering, stealing, embezzling, destroying, or concealing, or for obtaining by false pretences, any instrument, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, without setting out any copy or fac-simile thereof, or otherwise describing the same or the value thereof.

6. In any indictment for engraving or making the whole or any part of any instrument, matter, or thing whatsoever, or for using or having the unlawful possession of any plate or other material upon which the whole or any part of any instrument, matter, or thing whatsoever shall have been engraved or made, or for having the unlawful possession of any paper upon which the whole or any part of any instrument, matter, or thing whatsoever shall have been made or printed, it shall be sufficient to describe such instrument, matter, or thing by any name or designation by which the same may be usually known, without setting out any copy or fac-simile of the whole or any part of such instrument, matter, or thing.

7. In all other cases wherever it shall be necessary to make any averment in any indictment as to any instrument, whether the same consists wholly or in part of writing, print, or figures, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, without setting out any copy or fac-simile of the whole or any part thereof.

8. From and after the coming of this act into operation it shall be sufficient in any indictment for forging, uttering, offering, disposing of, or putting off any instrument whatsoever, or for obtaining or attempting to obtain any property by false pretences, to allege that the defendant did the act with intent to defraud, without alleging the intent of the defendant to be to defraud any particular person; and on the trial of any of the offences in this section mentioned it shall not be necessary to prove an intent on the part of the defendant to defraud any particular person, but it shall be sufficient to prove that the defendant did the act charged with an intent to defraud.

9. And whereas offenders often escape conviction by reason that such persons ought to have been charged with attempting to commit offences, and not with the actual commission thereof: for remedy thereof be it enacted, that if on the trial of any person charged with any felony or misdemeanour it shall appear to the jury upon the evidence that the defendant did not complete the offence charged, but that he was guilty only of an attempt to commit the same, such person shall not by reason thereof be entitled to be acquitted, but the jury shall be at

liberty to return as their verdict that the defendant is not guilty of the felony or misdemeanour charged, but is guilty of an attempt to commit the same, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for attempting to commit the particular felony or misdemeanour charged in the said indictment; and no person so tried as herein lastly mentioned shall be liable to be afterwards prosecuted for an attempt to commit the felony or misdemeanour for which he was so tried.

10. And whereas it is enacted by a certain act of Parliament passed in the 7 Will. 4 & 1 Vict. [c. 85.] intitled "An Act to amend the Laws relating to Offences against the Person," that "on the trial of any person for any of the offences therein-before mentioned, or for any felony whatever where the crime charged shall include an assault against the person, it shall be lawful for the jury to acquit of the felony, and to find a verdict of guilty of assault against the person indicted, if the evidence shall warrant such finding:" and whereas great difficulties have arisen in the construction of such enactment: for remedy thereof be it enacted, that the said enactment shall be and the same is hereby repealed.

11. If upon the trial of any person upon any indictment for robbery it shall appear to the jury upon the evidence that the defendant did not commit the crime of robbery, but that he did commit an assault with intent to rob, the defendant shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that the defendant is guilty of an assault with intent to rob, and thereupon such defendant shall be liable to be punished in the same manner as if he had been convicted upon an indictment for feloniously assaulting with intent to rob; and no person so tried as is herein lastly mentioned shall be liable to be afterwards prosecuted for an assault with intent to commit the robbery for which he was so tried.

12. If upon the trial of any person for any misdemeanour it shall appear that the facts given in evidence amount in law to a felony, such person shall not by reason thereof be entitled to be acquitted of such misdemeanour; and no person tried for such misdemeanour shall be liable to be afterwards prosecuted for felony on the same facts, unless the Court before which such trial may be had shall think fit, in its discretion, to discharge the jury from giving any verdict upon such trial, and to direct such person to be indicted for felony, in which case such person may be dealt with in all respects as if he had not been put upon his trial for such misdemeanour.

13. If upon the trial of any person indicted for embezzlement as a clerk, servant, or person employed for the purpose or in the capacity of a clerk or servant, it shall be proved that he took the property in question in any such manner as to amount in law to larceny, he shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that such person is not guilty of embezzlement, but is guilty of simple larceny, or of larceny as a clerk, servant, or person employed for the purpose or in the capacity of a clerk or servant, as the case may be, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for such larceny; and if upon the trial of any person indicted for larceny it shall be proved that he took the property in question in any such manner as to amount in law to embezzlement, he shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return as their verdict that such person is not guilty of larceny, but is guilty of embezzlement, and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for such embezzlement; and no person so tried for embezzlement or larceny as aforesaid shall be liable to be afterwards prosecuted for larceny or embezzlement upon the same facts.

14. If upon the trial of two or more persons indicted for jointly receiving any property it shall be proved that one or more of such persons separately received any part of such property, it shall be lawful for the jury to convict upon such indictment such of the said persons as shall be proved to have received any part of such property.

15. And whereas it frequently happens that the principal in a felony is not in custody or amenable to justice, although several accessories to such felony or receivers at different times of stolen property the subject of such felony may be in custody or amenable to justice: for the prevention of several trials be

it enacted, that any number of such accessories or receivers may be charged with substantive felonies in the same indictment, notwithstanding the principal felon shall not be included in the same indictment, or shall not be in custody or amenable to justice.

16. It shall be lawful to insert several counts in the same indictment against the same person for any number of distinct acts of stealing, not exceeding three, which may have been committed by him against the same person within the space of six calendar months from the first to the last of such acts, and to proceed thereon for all or any of them.

17. If upon the trial of any indictment for larceny it shall appear that the property alleged in such indictment to have been stolen at one time was taken at different times, the prosecutor shall not by reason thereof be required to elect upon which taking he will proceed, unless it shall appear that there were more than three takings, or that more than the space of six calendar months elapsed between the first and the last of such takings; and in either of such last-mentioned cases the prosecutor shall be required to elect to proceed for such number of takings, not exceeding three, as appear to have taken place within the period of six calendar months from the first to the last of such takings.

18. In every indictment in which it shall be necessary to make any averment as to any money or any note of the Bank of England or any other bank it shall be sufficient to describe such money or bank note simply as money, without specifying any particular coin or bank note; and such allegation, so far as regards the description of the property, shall be sustained by proof of any amount of coin or of any bank note, although the particular species of coin of which such amount was composed, or the particular nature of the bank note, shall not be proved, and in cases of embezzlement and obtaining money or bank notes by false pretences, by proof that the offender embezzled or obtained any piece of coin or any bank note, or any portion of the value thereof, although such piece of coin or bank note may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same, or to any other person, and such part shall have been returned accordingly.

19. Whereas by an act of Parliament passed in England in the 23 Geo. 2, [c. 11,] intitled "An Act to render Prosecutions for Perjury and Subornation of Perjury more easy and effectual," and by a certain other act of Parliament made in Ireland in the 31 Geo. 3, [L.] intitled "An Act to render Prosecutions for Perjury and Subornation of Perjury more easy and effectual, and for affirming the Jurisdiction of the Quarter Sessions in Cases of Perjury," certain provisions were made to prevent persons guilty of perjury and subornation of perjury from escaping punishment by reason of the difficulties attending such prosecutions: and whereas it is expedient to amend and extend the same: be it enacted, that it shall and may be lawful for the judges or judge of any of the superior courts of common law or equity, or for any of her Majesty's justices or commissioners of assize, nisi prius, oyer and terminer, or gaol delivery, or for any justices of the peace, recorder or deputy recorder, chairman, or other judge, holding any general or quarter sessions of the peace, or for any commissioner of bankruptcy or insolvency, or for any judge or deputy judge of any county court or any court of record, or for any justices of the peace in special or petty sessions, or for any sheriff or his lawful deputy before whom any writ of inquiry or writ of trial from any of the superior courts shall be executed, in case it shall appear to him or them that any person has been guilty of wilful and corrupt perjury in any evidence given, or in any affidavit, deposition, examination, answer, or other proceeding made or taken before him or them, to direct such person to be prosecuted for such perjury, in case there shall appear to him or them a reasonable cause for such prosecution, and to commit such person so directed to be prosecuted until the next session of oyer and terminer or gaol delivery for the county or other district within which such perjury was committed, unless such person shall enter into a recognisance, with one or more sufficient surety or sureties, conditioned for the appearance of such person at such next session of oyer and terminer or gaol delivery, and that he will then surrender and take his trial, and not depart the court without leave, and to require any person he or they may think fit to enter into a recognisance, conditioned to prosecute or give evidence against such person so directed to be prosecuted as aforesaid, and to give to the party

so bound to prosecute a certificate of the same being directed, which certificate shall be given without any fee or charge, and shall be deemed sufficient proof of such prosecution having been directed as aforesaid; and upon the production thereof the costs of such prosecution shall and are hereby required to be allowed by the court before which any person shall be prosecuted or tried in pursuance of such direction as aforesaid, unless such last-mentioned court shall specially otherwise direct; and when allowed by any such court in Ireland such sum as shall be so allowed shall be ordered by the said court to be paid to the prosecutor by the treasurer of the county in which such offence shall be alleged to have been committed, and the same shall be presented for, raised, and levied in the same manner as the expenses of prosecutions for felonies are now presented for, raised, and levied in Ireland: provided always, that no such direction or certificate shall be given in evidence upon any trial to be had against any person upon the prosecution so directed as aforesaid.

20. In every indictment for perjury, or for unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously, or corruptly taking, making, signing, or subscribing any oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate, or other writing, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what court or before whom the oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate, or other writing was taken, made, signed, or subscribed, without setting forth the bill, answer, information, indictment, declaration, or any part of any proceeding either in law or in equity, and without setting forth the commission or authority of the court or person before whom such offence was committed.

21. In every indictment for subornation of perjury, or for corrupt bargaining or contracting with any person to commit wilful and corrupt perjury, or for inciting, causing, or procuring any person unlawfully, wilfully, falsely, fraudulently, deceitfully, maliciously, or corruptly to take, make, sign, or subscribe any oath, affirmation, declaration, affidavit, deposition, bill, answer, notice, certificate, or other writing, it shall be sufficient, wherever such perjury or other offence aforesaid shall have been actually committed, to allege the offence of the person who actually committed such perjury or other offence in the manner hereinbefore mentioned, and then to allege that the defendant unlawfully, wilfully, and corruptly did cause and procure the said person the said offence, in manner and form aforesaid, to do and commit; and wherever such perjury or other offence aforesaid shall not have been actually committed, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth or averring any of the matters or things hereinbefore rendered unnecessary to be set forth or averred in the case of wilful and corrupt perjury.

22. A certificate containing the substance and effect only (omitting the formal part) of the indictment and trial for any felony or misdemeanour, purporting to be signed by the clerk of the court or other officer having the custody of the records of the court where such indictment was tried, or by the deputy of such clerk or other officer, (for which certificate a fee of 6s. 8d. and no more shall be demanded or taken), shall upon the trial of any indictment for perjury or subornation of perjury be sufficient evidence of the trial of such indictment for felony or misdemeanour, without proof of the signature or official character of the person appearing to have signed the same.

23. It shall not be necessary to state any venue in the body of any indictment, but the county, city, or other jurisdiction named in the margin thereof shall be taken to be the venue for all the facts stated in the body of such indictment; provided that in cases where local description is or hereafter shall be required, such local description shall be given in the body of the indictment; and provided also, that where an indictment for an offence committed in the county of any city or town corporate shall be preferred at the assizes of the adjoining county, such county of the city or town shall be deemed the venue, and may either be stated in the margin of the indictment, with or without the name of the county in which the offender is to be tried, or be stated in the body of the indictment by way of venue.

24. No indictment for any offence shall be held insufficient for want of the averment of any matter unnecessary to be proved, nor for the omission of the words "as appears by the

record," or of the words "with force and arms," or of the words "against the peace," nor of the insertion of the words "against the form of the statute" instead of "against the form of the statutes," or vice versa, nor for that any person mentioned in the indictment is designated by a name of office, or other descriptive appellation, instead of his proper name, nor for omitting to state the time at which the offence was committed in any case where time is not of the essence of the offence, nor for stating the time imperfectly, nor for stating the offence to have been committed on a day subsequent to the finding of the indictment, or on an impossible day, or on a day that never happened, nor for want of a proper or perfect venue, nor for want of a proper or formal conclusion, nor for want of or imperfection in the addition of any defendant, nor for want of the statement of the value or price of any matter or thing, or the amount of damage, injury, or spoil, in any case where the value or price, or the amount of damage, injury, or spoil, is not of the essence of the offence.

25. Every objection to any indictment for any formal defect apparent on the face thereof shall be taken, by demurrer or motion to quash such indictment, before the jury shall be sworn, and not afterwards; and every court before which any such objection shall be taken for any formal defect may, if it be thought necessary, cause the indictment to be forthwith amended in such particular by some officer of the court or other person, and thereupon the trial shall proceed as if no such defect had appeared.

26. So much of a certain act of Parliament passed in the 60 Geo. 3 & 1 Geo. 4, [c. 4,] intitled "An Act to prevent Delay in the Administration of Justice in Cases of Misdemeanour," as provides that "where any person shall be prosecuted for any misdemeanour by indictment at any session of the peace, session of oyer and terminer, great session, or session of gaol delivery, within that part of Great Britain called England, or in Ireland, having been committed to custody or held to bail to appear to answer for such offence twenty days at the least before the session at which such indictment shall be found, he or she shall plead to such indictment, and trial shall proceed thereupon, at such same session of the peace, session of oyer and terminer, great session, or session of gaol delivery respectively, unless a writ of certiorari for removing such indictment into his Majesty's Court of King's Bench at Westminster or in Dublin shall be delivered at such session before the jury shall be sworn for such trial," shall be and the same is hereby repealed.

27. No person prosecuted shall be entitled to traverse or postpone the trial of any indictment found against him at any session of the peace, session of oyer and terminer, or session of gaol delivery: provided always, that if the court, upon the application of the person so indicted or otherwise, shall be of opinion that he ought to be allowed a further time, either to prepare for his defence or otherwise, such court may adjourn the trial of such person to the next subsequent session, upon such terms as to bail or otherwise as to such court shall seem meet, and may respite the recognisances of the prosecutor and witnesses accordingly, in which case the prosecutor and witnesses shall be bound to attend to prosecute and give evidence at such subsequent session without entering into any fresh recognisance for that purpose.

28. In any plea of autrefois convict or autrefois acquit it shall be sufficient for any defendant to state that he has been lawfully convicted or acquitted (as the case may be) of the said offence charged in the indictment.

29. Whenever any person shall be convicted of any one of the offences following, as an indictable misdemeanour; that is to say, any cheat or fraud punishable at common law; any conspiracy to cheat or defraud, or to extort money or goods, or falsely to accuse of any crime, or to obstruct, prevent, pervert, or defeat the course of public justice; any escape or rescue from lawful custody on a criminal charge; any public and indecent exposure of the person; any indecent assault, or any assault occasioning actual bodily harm; any attempt to have carnal knowledge of a girl under twelve years of age; any public selling, or exposing for public sale or to public view, of any obscene book, print, picture, or other indecent exhibition; it shall be lawful for the court to sentence the offender to be imprisoned for any term now warranted by law, and also to be kept to hard labour during the whole or any part of such term of imprisonment.

30. In the construction of this act the word "indictment"

shall be understood to include "information," "inquisition," and "presentment," as well as indictment, and also any "plea," "replication," or other pleading, and any Nisi Prius record; and the terms "finding of the indictment" shall be understood to include "the taking of an inquisition," "the exhibiting of an information," and "the making a presentment;" and wherever in this act, in describing or referring to any person or party, matter or thing, any word importing the singular number or masculine gender is used, the same shall be understood to include and shall be applied to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing; and the word "property" shall be understood to include goods, chattels, money, valuable securities, and every other matter or thing, whether real or personal, upon or with respect to which any offence may be committed.

31. This act shall come into operation on the 1st September, 1851.

32. Nothing in this act shall extend to Scotland.

CAP. CI.

An Act to apply a Sum out of the Consolidated Fund, and certain other Sums, to the Service of the Year 1851; and to appropriate the Supplies granted in this Session of Parliament.
[8th August, 1851.]

CAP. CII.

An Act to amend the Acts relating to the Merchant Seamen's Fund, and to provide for winding up the said Fund, and for the better Management thereof in the Meantime.
[8th August, 1851.]

CAP. CIII.

An Act to confirm certain Provisional Orders of the General Board of Health.
[8th August, 1851.]

CAP. CIV.

An Act to facilitate the Management and Improvement of Episcopal and Capitular Estates in England.
[8th August, 1851.]

SECT. 1. Power of ecclesiastical corporations, with approval of Church Estates Commissioners, to sell, enfranchise, or exchange church lands, or to purchase the interests of their lessees.

2. Provision for apportionment of rent on surrender of part of lands comprised in any lease.

3. The interests acquired by lessees to be subject to the equities and bound by the covenants of renewals to which their leases may be subject.

4. Leaseholders' interest not to be purchased without consent of sub-lessees, who have covenants of renewals.

5. Confirmation of conveyances by Church Estates Commissioners sufficient.

6. Monies to arise from sale, exchange, or enfranchisement to be laid out as hereinbefore authorised, or in the purchase of other lands.

7. Modes applicable to the purchase of lands for the use of an ecclesiastical corporation may be applied in purchasing the interests of lessees, or in payments for equality of exchange.

8. Provision in case of increase or deficiency of income in consequence of sales, &c.

9. How leases of lands acquired by any ecclesiastical corporation under this act may be made.

10. General report of proceedings of Church Estates Commissioners to be sent annually to Secretary of State.

11. Interpretation: "ecclesiastical corporation;" "lease;" "lands;" "lessee."

12. Duration of act.

CAP. CV.

An Act to continue an Act of the fourteenth Year of her Majesty for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the common Fund; and to make certain Amendments in the Laws for the Relief of the Poor.
[8th August, 1851.]

CAP. CVI.

An Act for appointing Commissioners to inquire into the Existence of Bribery in the Borough of St. Alban.
[8th August, 1851.]

London Gazettes.

TUESDAY, SEPTEMBER 23.

BANKRUPTS.

WILLIAM RUSSELL, Billiter-street, London, merchant, dealer and chapman, Oct. 1 at 11, and Nov. 4 at half-past 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Lewis, 25, Clement's-lane, Lombard-street.—Petition filed Sept. 18.

JOHN THOMAS COLE, Thorpe-le-Soken, Essex, auctioneer, saddler and harness maker, dealer and chapman, Oct. 3 and Nov. 4 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Mardon & Pritchard, Newgate-street.—Petition filed Sept. 20.

JAMES SCHOFIELD, Aldermanbury, London, warehouseman, dealer and chapman, Oct. 3 at 1, and Nov. 6 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Reed & Co., Friday-street, Cheapside.—Petition filed Sept. 22.

WILLIAM HENRY ORAM, Noble-street, Falcon-square, London, woollen warehouseman, Oct. 3 at half-past 12, and Nov. 4 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Lloyd, Milk-street, Cheapside.—Petition filed Sept. 18.

LYON SAMUEL, Bury-street, St. Mary-axe, London, jeweller and silversmith, dealer and chapman, Oct. 4 at 1, and Nov. 8 at half-past 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Sydney, 46, Finsbury-circus, Finsbury, London.—Petition dated Sept. 18.

ALFRED LYON, Saffron Walden, Essex, draper, dealer and chapman, Oct. 4 at 12, and Nov. 8 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Jones, 15, Siselane, City.—Petition dated Sept. 15.

JOSEPH COSLETT and THOMAS LLOYD PEMBERTON, Sedgley, Staffordshire, cement, lime, corn, and provision merchants, dealers and chapmen, (carrying on business under the style or firm of Coslett & Pemberton), Oct. 7 and 28 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Hayes, Wolverhampton.—Petition dated Sept. 17.

CYRUS GITTINS, Hanley, Staffordshire, grocer and tea dealer, Oct. 7 at half-past 10, and Oct. 28 at —, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Smith, Hanley; Motteram & Co., Birmingham.—Petition dated Sept. 20.

WILLIAM HACKETT, Leicester, dealer in pianofortes, dealer and chapman, Oct. 10 and Nov. 7 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Gregory, Leicester.—Petition dated Sept. 6.

JOHN NICHOLSON, Sheffield, Yorkshire, surgeon and apothecary, Oct. 4 and Nov. 8 at 11, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. Branson & Son, or Furniss, Sheffield.—Petition dated and filed Sept. 16.

JAMES BAMFORTH, Arden Mills, Bredbury, Cheshire, corn miller and flour factor, dealer and chapman, Oct. 3 and Nov. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Westmoreland & Taylor, Wakefield; Bellhouse & Bond, Manchester.—Petition filed Sept. 9.

MEETINGS.

Thomas Foot Piper, Lawrence-lane and Bishopsgate-street, London; Victoria-road, Pimlico, Middlesex; and Landport, Hampshire, wholesale staymaker, Oct. 16 at 1, Court of Bankruptcy, London, div.—*J. H. Tipple*, Wymondham, Norfolk, bombasin manufacturer, Oct. 16 at 1, Court of Bankruptcy, London, div.—*Richard S. Smith*, Southsea, Portsea, Southampton, ironmonger, Oct. 18 at 1, Court of Bankruptcy, London, div.—*John Davidson and Rich. Davidson*, South Shields, Durham, butchers, Oct. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, div. sep. est. of *J. Davidson*.—*Thomas Alletson*, Liverpool, and Boughton-house, near Chester, Cheshire, drysalter, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, div.—*George Rigby and John Rigby*, Liverpool, coal merchants, Oct. 15 at 12, District Court of Bankruptcy, Liverpool, div. sep. est. of *George Rigby*.—*John Owen*, Welshpool, Montgomeryshire, flannel manufacturer, Oct. 14 at 12, District Court of Bankruptcy, Liverpool, div.—*John Greenshields and Matthew Strang*, Liverpool, mer-

chants, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Lockyer, Old-street, St. Luke's, and King-street, St. Giles-in-the-Fields, Middlesex, baker, Oct. 16 at 2, Court of Bankruptcy, London.—*Thomas Allom*, Regent-street, Middlesex, printer, Oct. 16 at half-past 11, Court of Bankruptcy, London.—*Thomas Richardson*, Liverpool, cutler, Oct. 16 at 11, District Court of Bankruptcy, Liverpool.—*R. Jackson*, Liverpool and Bolton-le-Moors, Lancashire, organ builder, Oct. 14 at 11, District Court of Bankruptcy, Liverpool.—*F. Clarke*, Hawes, Yorkshire, wine merchant, Oct. 14 at 11, District Court of Bankruptcy, Leeds.—*Wm. Cloughton*, Kingston-upon-Hull, auctioneer, Oct. 15 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*George Wagh*, Seough, Edenhall, Cumberland, banker, Oct. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Samuel Pearce*, Topsham, Devonshire, coal merchant, Oct. 16 at 1, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

W. L. B. Granville, Red Lion-square, Middlesex, agricultural implement maker.—*Edward Harratt and John Bland*, Huntingdon and Godmanchester, Huntingdonshire, builders.—*Richard S. Smith*, Southsea, Portsea, Southampton, ironmonger.—*Wm. Richards*, Devonport, Devonshire, printer.—*John Allmand*, Wrexham, Denbighshire, haberdasher.—*Wm. Clipson*, Chester, builder.

PARTNERSHIP DISSOLVED.

John Alderton Bush and James Dulling, Exeter-st., Strand, Middlesex, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

James Johnston, Airdrie, grocer.—*William Ritchie & Co.*, Glasgow, commission merchants.—*Wm. & Andrew Mitchell*, Glasgow, grocers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Myers and Abraham Myers, Idle, Calverley, Yorkshire, stonemasons, Oct. 25 at 11, County Court of Yorkshire, at Bradford.—*Wm. Burton*, Liverpool, butcher, Sept. 27 at 9, County Court of Lancashire, at Liverpool.—*John Davies*, Kirkdale, Walton, Lancashire, coal dealer, Sept. 27 at 9, County Court of Lancashire, at Liverpool.—*John Pinnington*, Liverpool, out of employment, Sept. 27 at 9, County Court of Lancashire, at Liverpool.—*James Chessnut*, Campton, Bedfordshire, grocer, Oct. 23 at 3, County Court of Bedfordshire, at Biggleswade.—*Samuel Clement*, Plumstead, Kent, in no business, Oct. 18 at 10, County Court of Kent, at Gravesend.—*Henry James*, Redditch, Worcestershire, fish-hook manufacturer, Oct. 18 at 9, County Court of Worcestershire, at Redditch.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 4 at 11, before Mr. Commissioner PHILLIPS.

Chas. Cannon, Gloucester-place, Kentish-town, Middlesex, attorney's clerk.—*Henry Fleicher*, Watling-street, London, and Nine Elms-lane, Vauxhall, Surrey, assistant warehouseman.—*Edward Hancock*, Upper Weymouth-street, Portland-road, Marylebone, Middlesex, ironmonger's shopman.—*Isaac Dowley*, Bethnal-green-road, Bethnal-green, Middlesex, corn-chandler.—*Thomas Miller Burt*, Greenhead-cottages, New Park-road, Brixton, Surrey, working jeweller.—*Luke Elcock*, Westmorland-place, near Peckham-grove, Camberwell, Surrey, out of business.—*James Graham*, Mead-place, Westminster-road, Surrey, general merchant.

Nov. 5 at 11, before the CHIEF COMMISSIONER.

William Williams, Old Compton-street, Soho, Middlesex, assistant to silk mercers.—*George Goddard*, Cheshunt, Herts, out of business.—*Robert Short*, Sarah-place, Mule-end Old

town, Middlesex, shoemaker.—*Chas. Pearce*, White-cottage, Wilderness-row, Queen's-road, Chelsea, Middlesex, clerk in the Stamp Department of Somerset House.—*Charles Robert French*, Belgrave-terrace, Camden-town, St. Pancras, Middlesex, cook at St. Pancras workhouse.—*George Parr*, Praed-street, Edgeware-road, Middlesex, gentleman's coachman.—*Joseph Mitchell*, Edmonton-green, Edmonton, Middlesex, omnibus proprietor.—*William Henry Adams*, Thomas-place, Prince's-road, Lambeth, Surrey, assistant to an auctioneer.—*John Sievwright*, Claremont-place, Wandsworth-road, Surrey, brewer's clerk.—*Frederick William Herbert*, Grove-vale, East Dulwich, Surrey, clerk in the General Post-office.

Nov. 5 at 10, before Mr. Commissioner LAW.

William Follett, Charles-street, Manchester-square, Middlesex, clerk to a notary.—*Thomas Charles Lukey*, Surrey-cottage, Park-road, Old Kent-road, Surrey, out of business.—*Joseph Stephen Hobbs*, Hockley-terrace, Bridge-street, Greenwich, Kent, engineer's draughtsman.—*Isaac Lomas*, Trafalgar-street, Walworth, Surrey, capmaker.—*John William Monk*, Russell-street, Bermondsey, Surrey, out of business.—*Robert Napoleon Kemp*, Penton-street, Pentonville, Middlesex, clerk in the London Docks.—*George Scott*, Courland-terrace, Wandsworth-road, Surrey, land surveyor.—*William Sharland Dicker*, Vine-cottage, Providence-place, Shepherd's-bush, Middlesex, foreman to a wholesale stationer.—*Thos. Godden*, Mexican-terrace, Caledonian-road, King's-cross, Battle-bridge, Islington, Middlesex, vocalist.—*George Jas. Hoskins*, Union-wharf, Ballast-quay, Greenwich, Kent, boat builder.—*William Allam*, Hatfield-street, Stamford-street, Blackfriars, Surrey, wire worker.—*William Titford*, Constitution-row, Gray's-inn-road, Middlesex, lodging-house keeper.

Nov. 5 at 11, before Mr. Commissioner PHILLIPS.

James Brown, Jermyn-street, Westminster, Middlesex, lodging-house keeper.—*John Northen*, Union-row, New Kent-road, Surrey, out of business.—*Edward Winn*, Woolwich, Kent, licensed retailer of beer.—*William Ansell*, Liverpool-street, Walworth, Surrey, commission town traveller.—*James Duppa Howe*, Rye, Carshalton, Surrey, miller.—*James Barnett*, Vassal-road, North Brixton, Surrey, warehouseman.

Nov. 6 at 10, before Mr. Commissioner LAW.

James Woodford, Hatton-garden, Holborn, Middlesex, watchmaker.—*James Massey*, Old Compton-street, Soho, Westminster, Middlesex, licensed victualler.—*Thos. George*, Compton-mews, Compton-street, Brunswick-square, Middlesex, smith.—*Edward West*, Ampton-street, Gray's-inn-road, Middlesex, bonnet manufacturer.—*John Robert Ellis*, High-street, Shoreditch, Middlesex, brushmaker.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Thomas Smith, Kelham-place, Belvedere-road, Lambeth, Surrey, stonecutter.—*Joseph Haigh*, Baker-street, Lloyd-square, Middlesex, teacher of singing.—*Henry James Johnstone*, Gresham-street, London, in no business.—*William Robert Blackmore*, York-road, Westminster-road, Lambeth, Surrey, grocer.—*William Gramshaw*, Uxbridge, Middlesex, grocer.—*Thomas Hart*, Belmont-place, Wandsworth-road, Surrey, dealer in cigars.

Saturday, Sept. 20.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

John Boyd, Devonshire-st., New Kent-road, Surrey, dealer in glue: in the Queen's Prison.—*Jean Pierre Parent*, Frith-street, Soho, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Lewis M^cBain*, Piccadilly, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Jason J. Rowe*, Rowe's Wharf, Wharf-road, Pritchard's-road, Hackney-road, Middlesex, hawker: in the Debtors Prison for London and Middlesex.—*Daniel Edward Flynn*, Blackfriars-road, Surrey, tailor: in the Queen's Prison.—*John L. Orpen*, Monmouth-cottage, Kilburn, Middlesex, signal man on the London and North-western Railway: in the Debtors Prison for London and Middlesex.—*Walter Gee*, Rockingham-row, New Kent-road, Surrey, straw hat manufacturer: in the Debtors Prison for London and Middlesex.—*Charles Langford* the younger, South-crescent-mews, Burton-crescent, Middlesex, cab driver: in the Debtors Prison for London and Middlesex.—*James Thomas Atkins* the younger, Deverell-st., Dover-road, Surrey, licensed victualler: in the

Debtors Prison for London and Middlesex.—*P. M^cAnulty*, Birmingham, travelling draper: in the Gaol of Coventry.—*Michael Marshall*, Chew Magna, Somersetshire, attorney: in the Gaol of Wilton.—*Luigi Monastere*, Darlington, Durham, dealer in hardware: in the Gaol of Durham.—*James Cooper*, South Liverpool, butcher: in the Gaol of Lancaster.—*John Hadley*, Sittingbourne, Kent, shipowner: in the Gaol of Maidstone.—*John Whitehead*, Brookhouse, Blackburn, Lancashire, machine maker: in the Gaol of Lancaster.—*William Wall*, Chatham, Kent, spirit dealer: in the Gaol of Maidstone.—*Abraham Emms*, Birmingham, assistant to a retail brewer: in the Gaol of Coventry.—*John Johnston*, Hyde, Cheshire, collector of rents: in the Gaol of Chester.—*Jane Lewis*, Stonehouse, Devonshire, lodging-house keeper: in the Gaol of St. Thomas the Apostle.—*James H. M^cGeorge*, Ferry-hill, Durham, brewer: in the Gaol of Durham.—*Hugh Atherstone*, Derby, veterinary surgeon: in the Gaol of Derby.—*Henry G. Fuller*, Greenwich, Kent, brassfounder: in the Gaol of Maidstone.—*Ann Lloyd*, widow, Llanddwiberarth, Cardiganshire: in the Gaol of Cardigan.—*Philip Screech*, Devonport, Devonshire, butcher: in the Gaol of St. Thomas the Apostle.—*Joseph Wicks*, Upper Sydenham, Lewisham, Kent, painter: in the Gaol of Maidstone.—*Robert Weaver*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.—*John Makin*, Hulme, Manchester, coal dealer: in the Gaol of Lancaster.—*Alexander Murray*, Chorlton-upon-Medlock, Manchester, shoemaker: in the Gaol of Lancaster.—*Thomas Prosser*, Llanvabon, Glamorganshire, grocer: in the Gaol of Cardiff.—*Joseph Charlesworth*, New Mill, near Holmfirth, Yorkshire, machine maker: in the Gaol of York.—*Michael A. Gage*, Liverpool, civil engineer: in the Gaol of Lancaster.—*James Dawson*, Huddersfield, Yorkshire, cloth finisher: in the Gaol of York.—*Robert W. Anthony*, Portland, Dorsetshire, quarryman: in the Gaol of Dorchester.—*H. Z. Jervis*, Woolwich, Kent, attorney-at-law: in the Gaol of Maidstone.—*John Whaite*, Tranmere, near Liverpool, porter agent: in the Gaol of Lancaster.—*Benj. Hartley*, Lancaster, licensed victualler: in the Gaol of Lancaster.—*Alexander Millar*, Sale Moor, near Manchester, salesman: in the Gaol of Lancaster.—*Henry F. Lonsdale*, Salford, Lancashire: in the Gaol of Lancaster.—*Edward Harrison*, Hulme, Manchester, butcher: in the Gaol of Lancaster.—*Benjamin Smith*, Stourmouth, near Wingham, Kent, farmer: in the Gaol of Maidstone.

(On Creditor's Petition).

J. Jones, Wheat Leasows, Wellington, Shropshire, farmer: in the Gaol of Shrewsbury.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Oct. 7.

William W. Sears, Dartford, out of business.—*George L. Williams*, Greenwich, builder.—*Benjamin Smith*, Stourmouth, near Wingham, farmer.—*Henry Zachariah Jervis*, Woolwich, attorney-at-law.—*Joseph Wicks*, Upper Sydenham, Lewisham, painter.—*Henry G. Fuller*, Greenwich, brassfounder.

At the County Court of Cornwall, at BODMIN, Oct. 8 at 10.

Wm. Ratcliff Good, Polruan, Lanteglos, by Fowey, master mariner.—*John Williams Tregoning*, St. Erme, adventurer in mines.

At the County Court of Monmouthshire, at MONMOUTH, Oct. 10 at 10.

William Hughes, Pontypool, hairdresser.

At the County Court of Denbighshire, at RUTHIN, Oct. 14 at 11.

William Rowland, Sutton Green, farmer.

At the County Court of Pembrokeshire, at HAVERFORDWEST, Oct. 17 at 10.

John Llewellyn, Pembroke Dock, licensed victualler.

At the County Court of Bedfordshire, at BEDFORD, Oct. 24 at 10.

Thomas Emmerton, Aspley Guise, ropemaker.

MEETING.

Charles Marsh, Yarm, near Stokesley, Yorkshire, out of business, Oct. 8 at 11, at Palphramand's, Black Lion Hotel, Stockton-on-Tees, sp. aff.

FRIDAY, SEPTEMBER 26.

BANKRUPTS.

FREDERICK WILLIAM MACANDREW, Mill-wall, Poplar, Middlesex, brewer, dealer and chapman, Oct. 9 at 11, and Nov. 6 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Taylor, 25, Bucklersbury.—Petition filed Sept. 24.

THOMAS EASON, Milton-next-Sittingbourne, Kent, brewer, dealer and chapman, Oct. 4 at 2, and Nov. 4 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Stevens & Satchell, Queen-street, Cheapside.—Petition filed Sept. 16.

JAMES FAIRMAN, Great St. Helen's, London, commission agent, trader, dealer and chapman, Oct. 9 at half-past 11, and Nov. 13 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Sept. 26.

THOMAS WARD, Bond-court, Wallbrook, London, wine merchant, Oct. 8 at 2, and Nov. 11 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Jones, 30, Bury-st., St. James.—Petition filed Sept. 25.

MEETINGS.

Edwin Parke Quadling, Ipswich, Suffolk, railway carriage builder, Oct. 9 at half-past 1, Court of Bankruptcy, London, pr. d.—*Peter Martin*, Northampton, miller, Oct. 8 at 2, Court of Bankruptcy, London, pr. d.—*Thomas F. Piper*, Lawrence-lane and Bishopsgate-st., London; Victoria-road, Pimlico, Middlesex; and Landport, Hampshire, wholesale staymaker, Oct. 13 at 11, Court of Bankruptcy, London, aud. ac.—*William G. Williams*, Carnarvon, woollendrapier, Oct. 6 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Parker*, Coventry, Warwickshire, carpenter, Oct. 18 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac. and first and fin. div.—*William Isaac Barker*, Sanderland, Durham, auctioneer, Oct. 17 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John White the younger*, Bishopwearmouth, Durham, iron-founder, Oct. 17 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*George Waugh*, Sceugh, Edenhall, Cumberland, banker, Oct. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Wm. Smith the younger*, Stockton, Durham, manufacturer of earthenware, Oct. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*John Sharples the elder and John Sharples the younger*, Daisyfield, near Blackburn, Lancashire, cotton spinners, Oct. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac. sep. est. of *John Sharples the elder*; Oct. 17 at 12, div.—*David Douglas*, Chorlton-upon-Medlock, Manchester, draper, Oct. 16 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Robert Peach*, Thorney, Isle of Ely, Cambridgeshire, butcher and cattle salesman, Oct. 20 at 11, Court of Bankruptcy, London, div.—*David Burberry*, Newdigate, Surrey, wood dealer, carrier, and time burner, Oct. 20 at 12, Court of Bankruptcy, London, div.—*Rich. Edwards*, Sudbury, Suffolk, linendraper, Oct. 18 at 12, Court of Bankruptcy, London, div.—*John Hammond Hunt*, Silver-street, London, warehouseman, Oct. 20 at 1, Court of Bankruptcy, London, div.—*James Stephenson*, Osborn-terrace, Commercial-road, Middlesex, draper, Oct. 20 at 1, Court of Bankruptcy, London, div.—*George Whitehead*, Fleet-street, London, printer, and *Boyle-street*, Burlington-gardens, Middlesex, scrivener, Oct. 17 at 12, Court of Bankruptcy, London, div.—*Thomas Hailston*, Wheelock, Cheshire, grocer, Oct. 17 at 11, District Court of Bankruptcy, Liverpool, div.—*Thos. Richardson*, Liverpool, cutler, Oct. 17 at 11, District Court of Bankruptcy, Liverpool, div.—*John Carter*, Liverpool, merchant, Oct. 17 at 11, District Court of Bankruptcy, Liverpool, div.—*David Douglas*, Chorlton-upon-Medlock, Manchester, draper, Oct. 17 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

David Burberry, Newdigate, Surrey, wood dealer, Oct. 20 at 12, Court of Bankruptcy, London.—*John Hammond Hunt*, Silver-street, London, warehouseman, Oct. 20 at 1, Court of Bankruptcy, London.—*Elizabeth Thompson*, Reading, Berkshire, brushmaker, Oct. 21 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

William Page, Great Yarmouth, Norfolk, grocer.—*William Ayres*, Cardiff, Glamorganshire, grocer.—*Ben Jackson*, Great Russell-street, Tottenham-court-road, Middlesex, linen-draper.—*Robert Croom*, Downend, Mangotsfield, Gloucestershire, butcher.—*William Herbert*, Bristol, grocer.—*Thomas Mills*, Painswick, Gloucestershire, quarry master.

PETITION ANNULLED.

William Smith, West-hill-grove, Wandsworth-road, Surrey, timber dealer.

SCOTCH SEQUESTRATIONS.

William Fechnay Black, Perth, merchant.—*Wilson, Philp, & Co.*, Dundee, corn merchants.—*David Croall*, Ward-mills, near Arbroath, Forfarshire, miller.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Ward, Rearsby, Leicestershire, labourer, Oct. 15 at 10, County Court of Leicestershire, at Leicester.—*S. Ward*, Leicester, grocer, Oct. 15 at 10, County Court of Leicestershire, at Leicester.—*Evan Edwards*, Dowlais, Glamorganshire, miner, Oct. 23 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Jenkins Richards*, Dowlais, Glamorganshire, beer-house keeper, Oct. 23 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Geo. Head*, Dowlais, Merthyr Tydvil, Glamorganshire, licensed victualler, Oct. 23 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*L. Lewis*, Crickhowell, Brecknockshire, groom, Oct. 27 at 10, County Court of Brecknockshire, at Crickhowell.—*A. Hughes*, Dowlais, Merthyr Tydvil, Glamorganshire, grocer, Oct. 23 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Benjamin Bowen*, Dowlais, Glamorganshire, pattern maker, Oct. 23 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Henry Rigby*, Dobenhams, Suffolk, dealer in glass, Oct. 10 at 10, County Court of Suffolk, at Ipswich.—*Daniel Cork*, Harwich, Essex, shipwright, Oct. 13 at 12, County Court of Essex, at Harwich.—*M. Whitmill*, Byfield, Northamptonshire, plush weaver, Oct. 27 at 11, County Court of Northamptonshire, at Daventry.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 7 at 11, before the CHIEF COMMISSIONER.

John F. Bailey, Little George-street, Portman-sq., Marylebone, Middlesex, carpenter.—*Maurice Abrahams*, King-st., Covent-garden, Middlesex, furniture broker.—*G. Campbell*, Portpool-lane, Gray's-inn-lane, Holborn, Middlesex, and Russell-place, Dover-road, Southwark, Surrey, out of business.—*A. R. Baddley*, Basing-place, Kingsland-rd., Kingsland, Middlesex, builder.—*Robt. Newell*, King James's-stairs, Wapping, Middlesex, shipping clerk in the Coal Whippers Office.

Nov. 8 at 11, before Mr. Commissioner PHILLIPS.

John Kerly, High-street, Shoreditch, Middlesex, baker.—*Wm. Dance*, Rufford's-row, High-street, Islington, Middlesex, artist.—*Charles Beeching*, Tottenham-court-road, Middlesex, assistant to a cheesemonger.—*T. D. B. D'Arcy*, Beattinck-street, Manchester-square, Middlesex, gentleman.—*J. Battershall*, Rotherfield-street, Islington, Middlesex, out of business.—*R. G. Erlam*, Westbourne-park-villas, Paddington, Middlesex, stockbroker.

Nov. 10 at 10, before Mr. Commissioner LAW.

Wm. Poole the younger, Meredit-st., Clerkenwell, Middlesex, out of employ.—*Joseph Davis*, Stepney's-rents, Hackney-road, Middlesex, shoemaker.—*Thomas Chidlow*, Park-place, Kennington-cross, Lambeth, Surrey, furnishing ironmonger.—*John Harris*, Hatfield-place, Westminster-road, Southwark, Surrey, grocer.—*Alfred Bowen Evans*, Victoria-road, Kentish-town, Middlesex, clerk in holy orders.—*Moses Jacobs*, Berwick-street, Westminster, Middlesex, law agent.

Nov. 10 at 11, before Mr. Commissioner PHILLIPS.

Matthew Jones, Brownlow-street, Haggerstone, Middlesex,

out of business.—*John Hadsley Addis*, Park-place, Old Kent-road, Surrey, smith.—*Robert Dudley*, Enfield, Middlesex, assistant to a gardener.—*Charles Sponge* the elder, St. Mary's cottages, Upper Grange-road, Bermondsey, Surrey, coal merchant's clerk.—*Philip Rogers*, St. Agnes-terrace, Tabernacle-square, Saint Leonard, Shoreditch, Middlesex, cheesemonger.—*Maria Priscilla Skury*, Oxford-terrace, Fentiman's-road, Clapham-road, Surrey, teacher of the pianoforte and singing.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Suffolk, at IPSWICH, Oct. 10.
Thomas Smith Eistob, Ipswich, not in any business.

At the County Court of Durham, at DURHAM, Oct. 10.
James Henderson McGeorge, Well-house Brewery, near Ferryhill, maltster.—*Thomas Greenaway Heward*, Bishopwearmouth, commission agent.—*Luigi Monastere*, Darlington, dealer in hardware.—*James Willan*, Bishop Auckland, dealer in German yeast.

At the County Court of Lancashire, at LANCASTER, Oct. 10 at 11.

John Tipton, Chorlton-upon-Medlock, pattern card maker.—*Margaret McDonald*, Manchester, out of business.—*Jos. Hampson*, Duckinfield, near Ashton-under-Lyne, stonemason.—*Henry Bestwick*, Ardwick, Manchester, collector of debts.—*Michael Alex. Gage*, Liverpool, civil engineer.—*J. White*, Tranmere, near Liverpool, agent for the sale of ale.—*Alex. Miller*, Sale Moor, near Manchester, salesman.—*Hen. Fisher Lowndale*, Salford, out of business.—*John Whitehead*, Blackburn, out of business.—*James Whitehead*, Ashton-under-Lyne, out of business.—*Edward Harrison*, Hulme, Manchester, out of business.—*Charles Holt*, Manchester, out of business.—*Robert Weaver*, Preston, licensed victualler.—*A. Murray*, Manchester, shoemaker.—*Thomas Baxter*, Manchester, out of business.

At the County Court of Somersetshire, at TAUNTON, Oct. 14 at 10.

Samuel Wood, Bridgwater, furniture broker.—*Michael Marshall*, Chew Magna, attorney.—*Wm. Rolfe*, Taunton, foreman to a tailor.—*Thomas Files*, Walcot, near Bath, in no business.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Mark Henry Whitehead, Gent., of Heywood, Lancashire, to be a Master Extraordinary in the High Court of Chancery.

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OCTOBER 4, 1851.

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LONDON, OCTOBER 4, 1851.

IN the last number of *THE JURIST* (part 1, p. 861) will be found the report of a case of *Helsham v. Blackwood*, arising out of an exceedingly able article which appeared some time ago in *Blackwood's Magazine* on the subject of duelling. The legal question involved in this case was, in form, one of pleading; but in this, as in many other such cases, the decision of the question of pleading involved the decision of the substantial question, which, stripped of the confusion that the counsel for the defendants very ably and astutely created, or endeavoured to create, is by no means complicated.

The article constituting the alleged libel, asserted that the plaintiff had shot his opponent in a duel; that there were rumours of foul play having been practised; and that it was understood (on the trial for murder) that the counsel for the prosecution were in possession of a damning piece of evidence, viz. that the prisoner had spent nearly the whole of the night immediately preceding the duel in practising pistol firing; and then followed a very striking picture of the trial.

Now, we should defy any man to read the portion of the article set out in the pleadings in *Helsham v. Blackwood*, and not to rise from the perusal with a thorough impression, that to Captain Helsham was imputed the fact of having practised pistol firing the night before the duel.

The plea justified the allegation of murder by killing in a duel, but did not justify the allegation of the preliminary pistol practising; and the question of substance as well as of pleading was, whether such justification was requisite. The argument in support of the plea was, that killing in a duel is murder; that there are no degrees in murder; that there cannot be such a thing as a duel fought in a proper manner: in effect, that killing in a duel being a murder, it is immaterial in the eye of the law how it is committed.

The confusion here palpably attempted to be introduced between what constitutes murder at law, and what constitutes libel, in reference to a charge of murder, was of course instantly noticed by the judges, who pointed out that, in libel, you must look into the whole circumstances, and that if circumstances are stated which would be an aggravation in the eye of the public, they must be inquired of by the Court.

It appears to us that the common sense and good moral effect of this decision are as striking as its law is correct, and that so far from tending to defend or encourage, as it was argued, the practice of duelling, it only tends to discourage any claim on the part of the public to impute to a man more than he has done, because he has done that which subjects him to legal punishment; that so far from any immoral consequences being likely to follow if this decision is correct, on the contrary, the grossest outrages might be lawfully perpetrated if it were not correct. To say that there are no degrees in murder at law is no doubt correct; that is, the law holding that the going out to fight a duel with deadly weapons implies malice, and that if there be a killing in such duel it is consequently murder, of course it is immaterial, in considering whether a duellist has committed a murder, to inquire into any other facts; it would be wholly unnecessary to prove that he had previously practised, because, practice or no practice, there is murder. But it cannot be said that the moral-guilt, or the loss of or injury to character, in the estimation of mankind, may not be aggravated by circumstances. Would it, for instance, be no greater guilt, or cause no greater injury to character in the eyes of mankind, if a man had gone out with and killed his benefactor, or, to put the case higher, his brother or his father, than if he had gone out with and killed a stranger? Yet, if the argument of the defendants in this case of *Helsham v. Blackwood* were to be listened to, having ascertained that a man had committed a murder, or indeed any other crime, one might lawfully indulge his fancy in imputing to him any circumstances attending the com-

duced between what constitutes murder at law, and what constitutes libel, in reference to a charge of murder, was of course instantly noticed by the judges, who pointed out that, in libel, you must look into the whole circumstances, and that if circumstances are stated which would be an aggravation in the eye of the public, they must be inquired of by the Court.

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mission of such crime, blackening his moral character to a colour deeper, by a thousand shades, than would result from the imputation of the simple crime; and that merely because, the law fixing a given criminality upon given acts, further acts are immaterial in considering the question of the legal crime. In respect to the article which was the subject of the action in *Helsham v. Blackwood*, we have no doubt that the writer believed the statement made to be true; and if it was indeed the production of the author to whom it has been attributed, none who know him will believe that his kindly nature would ever abuse the power of doing injury which would be given to an author, if the decision in *Helsham v. Blackwood* were other than it is. But so much cannot be said of all men; and we certainly think that the law, as laid down in this case, imposes a very wholesome restraint on writers dealing with individual instances as illustrations of their propositions.

As to its encouraging the idea that duels may be properly fought, or, in other words, palliating duelling, that seems quite out of the question. The case admits most distinctly, that, however fairly a duel may be fought, killing in it is murder; and all that it lays down is, that it is libel to impute to a man acts which, however immaterial in regard to the question of his legal crime, are very material in the eyes of the public to his character ultra his legal criminality.

Review.

A Letter to Sir A. Cockburn, &c. By A BARRISTER of the Inner Temple. Pp. 19. [Sweet, 1861.]

THIS is a pamphlet on a subject on which we have to some extent touched in a previous Number of this Journal; and the principle that it advocates is the same as that which we have advocated, viz. that if the service of the public in the county courts requires that there should be free trade in advocacy, it ought to be real and downright free trade—not free trade consisting in the public being compelled to go without barristers in the county courts, whether they will or not, provided the attorneys of those courts do will it. Such, no doubt, is the effect of the 91st section of the 9 & 10 Vict. c. 95, which enacts, “that no person shall be entitled to appear for any other party to any proceeding in any of the said courts, unless he be an attorney of one of her Majesty’s superior courts of record, or a barrister at law instructed by such attorney on behalf of the party, or, by leave of the judge, any other person allowed by the judge to appear instead of such party; but no barrister, attorney, or other person, except by leave of the judge, shall be entitled to be heard to argue any question as counsel for any other person, in any proceeding in any court holden under this act; and no person, not being an attorney admitted to one of her Majesty’s superior courts of record, shall be entitled to have or recover any sum of money unless the debt or damage claimed shall be more than 40s., or to have or recover more than 10s. for his fees and costs unless the debt or damage claimed shall be more than 5l.; or more than 15s. in any case within the summary jurisdiction given by this act; and in no case shall any fee exceeding 1l. 3s. 6d. be allowed for employing a barrister as counsel in the cause; and the expense of employing a barrister or an attorney, either by plaintiff or defendant, shall not be allowed on taxation of costs, in the case of a plaintiff, where less than 5l. is recovered, or, in the case of a defendant, where less than 5l. is claimed, or in any case unless by order of a judge.” Now, in the superior courts, counsel have a legal right to receive their instructions from the parties, although they decline to do so otherwise than through attorneys, because it has been found convenient to all

parties concerned that counsel, having exclusive audience in court, should confine themselves to advising and advocacy, and that the business of receiving instructions from the parties, and bringing them into a proper shape, should be exclusively transacted by attorneys. But this is only a matter of etiquette and custom, which they may depart from if they think it advisable. But in the county courts the judges have taken from the Bar exclusive audience, and the Legislature has taken from it the power to receive instructions except through an attorney; the consequence is, that the free trade is one-sided; the attorneys may employ counsel if they like, they may refuse to do so if they like, and the suitors cannot themselves employ any but attorneys. It is quite immaterial, on this subject, to inquire which are the best advocates, counsel or attorneys; which is the best for the public—that there should be a division or not. Of that the suitors ought to be left to judge for themselves. The claim of the Bar in the county courts is not to exclusive audience, and the right to receive instructions from the parties, but to one or the other. They say, if it be the interest of the public that they should not have pre-audience, let it be so; but let the public be at liberty, if the Bar choose to rescind their own rule of etiquette, to choose between counsel-advocates and attorney-advocates.

“If,” says the author of the pamphlet now before us, “there be any question of monopoly in the matter, it is a question not between the lawyers and the public, but between the two branches of the Profession, viz. whether they are to continue divided into two distinct classes of attorneys and barristers, or whether the former are to monopolise the whole legal practice of the county courts. There is no question of the Bar attempting to trench upon the province of the attorneys; it is the attorneys who are seeking to assume to themselves that privilege without which the Bar must cease to exist. We are fighting for existence—the attorneys for monopoly. In such a contest there can be interest for the public only in that result which will insure to them the best means of establishing and protecting their legal rights at the cheapest effective rate.”

“Now, sir, I, as one of the public, call upon you to prevent the establishment of this attempted monopoly—not because I belong to that class whose privileges I wish to see maintained—not because I think that the class of barrister is one atom superior to, or deserving of any greater favour than, the class of attorney; but because I believe honestly that the public will find their work well and effectively done only by keeping distinct and separate the functions of these two classes.”

“The office and duties of an attorney require for their proper fulfilment as much tact, as much knowledge of the world, and as high moral qualities as those of the advocate. Nay, to any one who fully considers the duties of attorneys it must be evident that their importance to the community is as great as that of the Bar, and perhaps greater. The attorney who properly fulfils his functions to his client is at once his moral as well as his legal adviser—on his discrimination and integrity depends the first taking up of a cause—on his diligence and ability, its preparation for argument; his power for good or for evil is immense, and the notion that for long had obtained, that attorneys were necessarily an inferior and scarcely a respectable class in society, was as singular as it was injurious to the public and to individuals. As we advance in civilisation these crude and strange prejudices, the last remnants of a feudal system, are gradually dispersed. It is the man that makes the profession, not the profession that makes the man. And if it be true, as the proverb says, ‘Que l’on vaut dans ce monde ce qu’on

'se fait valoir,' it is still more true, that such as men are dealt with by society, such will they turn out as its members. We are all the creatures of habit, and he who is scorned will only be taught to justify the bad opinion bestowed on him. Therefore does it urgently behove the State, in the discharge of its duty to the public, to treat every class with that care and consideration that shall at least insure its acting with honesty, with dignity, and with self-respect, and at the same time to prevent any one class from encroaching on the duties or privileges of the others.

"Now, according to the acknowledged legal practice in this country, advocacy is no part of an attorney's business. With him lies the collecting of evidence, and preparing all the preliminary and practical details in the action, and the selection of the barrister who shall advise him on any questions of legal intricacy, and finally conduct the cause in court. The great principles of judicial practice, the deep research and knowledge of cases, the forms through which truth and argument are made to prevail, all lie beyond his province, and rest peculiarly with the counsel, whose business it is to study and practically learn the most effective mode of marshalling the evidence collected, and the best course through which matters of fact may be presented to a jury, or points of law argued before a judge. What reason is there for disturbing this practically useful division of labour, which could not be fulfilled by one and the same person with justice to the cause of his client?

"I say, then, that as long as the separation of the functions of attorney from the functions of counsel is recognised as beneficial to the public, the right of exclusive audience must be conceded, as a general rule, to the class of advocates. I say as a general rule, for I would not certainly think of excluding parties in the cause from conducting their own cases in court, wherever they might prefer the doing so to employing a lawyer to act for them. Nor would I for one object to allow the attorney in a cause to act also as an advocate, wherever the employment of two legal agents would render the costs disproportionate to the amount at issue. To such a practice as this the Bar can have no objection, nor has any ever been made since it has been established in the sheriffs' and other inferior courts, provided it be not extended to the creation of a class of attorney-advocates distinct from the attorney in the cause, and who, without really saving the expense of two legal agents to the suitors, attempt insidiously to supplant the Bar by a body of practitioners occupying in fact the same place in the Profession, without the same guarantee of a proper training for the practice of advocacy. It is from empirical practitioners like these that both the public and the Profession should be protected."

And further—

"I ask for no statutory enactment to enable the Bar to do this: all I urge is, that there be left to us the privileges and rights which, as being essential to our very existence, we have hitherto enjoyed without disturbance. Leave to the Bar the right of exclusive audience, and the right to be instructed by the parties to the action. By taking away both these rights, you at once enable the attorneys practising in the county courts to unite the two professions in one, while you deprive us of the means of resisting the combination they are attempting to form, in order to monopolise the whole business, and exclude the Bar from regular practice in the new courts. The right to take instructions from the suitor in a cause, if controlled by a proper understanding amongst the members of the Bar, would be the means of enabling us to prevent such a monopoly; and it was with regret that I saw the clause proposed by Lord Brougham, in his County Courts Further Extension Bill, now before Parlia-

ment, for the purpose of restoring to us this right, struck out in committee by the House of Lords. At the same time I concur in many of the reasons urged against such a statutory recognition of a right which, if passed into law, might open the door to many malpractices by the less respectable members of the Profession. It is not necessary for the benefit of the Bar that the law should be so framed. Restore us simply to our former state—repeal or amend that portion of the clause (9 & 10 Vict. c. 95, s. 91) which, as at present interpreted, enables attorneys to practise as advocates in the county courts, to the exclusion of the Bar, and you will at once accomplish the sole object that we seek. You will then, without interfering with the right of each party to advocate his own cause, wherever he may, under the protection of the judge, be competent for the task, afford to those who require it the assistance of respectable attorneys and of able advocates, and secure to the public the right to employ counsel without the intervention of an attorney, in any cases where the Bar may see fit to depart from their general and very salutary rule of etiquette. Nay, more, you will encourage the formation of an efficient local Bar, whose presence in the courts, while insuring the dignity and order of the proceedings, will give powerful support to the presiding judges, and will offer the best guarantee for that uniformity of decisions in the superior and inferior courts which alone can produce certainty of justice to suitors."

We do not agree with the writer that the Bar should, in the county courts, have the right of exclusive audience, and the right to take their instructions from the suitors, but they ought to have the latter.

The result of our own observation of the proceedings in the county courts is, that they should be quite open to both the bar and attorneys; that there is a not inconsiderable portion of the business requiring a Bar, a much larger one requiring professional men, but not requiring counsel, and a still larger portion requiring none but the parties and the judge or his clerk; that it would be impolitic to exclude directly or indirectly either branch of the Profession; and that most certainly it is impolitic to discourage the formation of a regular Bar in them. We say it is impolitic to discourage; not that it would be politic, by conferring any exclusive privileges, to force the growth of a county court Bar. The county courts are of a peculiar character, and it passes any man's foresight to say precisely how, in the matter of professional attendance, they will ultimately require to be worked. In this state of things the only course is to leave the question to be determined by the public. Let these courts be open to barristers and to attorneys equally, with no other advantage to either branch than such as it can win for itself. Let the Bar be at liberty to take their instructions from the suitors if they think fit, and the public, the persons really having the right to decide, will very soon ascertain and shew whether it is to their interest to support a Bar or not.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC, AND TO BE JUDICIALLY NOTICED.

14 & 15 VICTORIA.—SESSION 4.

CAP. i.

An Act for repairing and managing the Roads from the Brightelmston Road at Pyecombe to Hand Cross, and from Pyecombe to the Henfield Road at Poynings Common, in the County of Sussex.

CAP. ii.

An Act for the Improvement of the Sewerage of the Borough of Leicester, and for making other Provisions for the Sanitary Regulation of such Borough.

CAP. iii.

An Act for building a Bridge over Ouseburn, with Approaches thereto, in the Borough and County of Newcastle-upon-Tyne.

CAP. iv.

An Act to make the Limits of the Dewsbury Gas Act commensurate with the whole of the Parish of Dewsbury and the Township of Batley, in the Parish of Batley; and to authorise the raising of a further Sum of Money.

CAP. v.

An Act for rendering valid certain Letters-Patent granted to John Laird, of Birkenhead, Shipbuilder.

CAP. vi.

An Act for establishing new Markets and Market Places in the City of Durham; for abolishing the Corn Tolls, and for regulating the Markets and Fairs within the said City and the Suburbs thereof; and for other Purposes.

CAP. vii.

An Act for altering and amending the Walworth Common Inclosure Act, 10 Geo. 3, c. 72; for authorising a Partition of the Walworth Common Estate; for incorporating the Governors and Guardians of the Poor of the Parish of St. Mary Newington, in the County of Surrey, and for enabling such Governors and Guardians to erect a new Workhouse; for altering and amending the Acts 54 Geo. 3, c. 113, and the 1 Geo. 4, c. 41, relating to the said Parish; and for other Purposes.

CAP. viii.

An Act for amending an Act passed in the forty-second Year of the Reign of his Majesty King George III, for draining and improving certain Fen Lands and Low Grounds in the Parishes of Downham Market, Wimbotsham, Stow Bardolph, and Denver, in the County of Norfolk.

CAP. ix.

An Act to confirm the Issue of certain Shares in the Reading Cemetery Company; to enable the Company to raise a further Sum of Money; and for other Purposes.

CAP. x.

An Act for Relief to the several Townships in the Parish of Manchester from the Repair of Highways not situate within such Townships respectively.

CAP. xi.

An Act to extend and amend the Provisions of the Act relating to the Cheltenham and Painswick District of Turnpike Road, in the County of Gloucester, and to create a further Term therein.

CAP. xii.

An Act to amend and extend the Provisions of the Acts relating to the Cheltenham and Gloucester District of Turnpike Roads, in the County of Gloucester, and to create a further Term therein.

CAP. xiii.

An Act for keeping in repair the Road from Appleby, in the County of Westmoreland, to Kirkby-in-Kendal, and from Orton to the Turnpike Road near Shap, and from Highgate, near Tebay, through Kirkby Stephen, to Market Brough, in the said County.

CAP. xiv.

An Act for incorporating "The Scarborough Gas Company," for enabling the Company to raise a further Sum of Money for better supplying the Borough of Scarborough with Gas; and for other Purposes.

CAP. xv.

An Act to amend and extend the Provisions of an Act for widening and improving the Road leading from the Turnpike Road in the Town of Tenterden, through Woodchurch, to Warehorne, and the Road leading out of the Turnpike Road in the Parish of Bethersden, through Woodchurch, to Appledore, in the County of Kent, and to create a further Term therein.

CAP. xvi.

An Act to provide for the Alteration or Extinguishment of the existing Rights in the Freeman's Pastures in the Township and Borough of Hartlepool, in the County of Durham, and for the Appropriation and Management of such Pastures; for vesting in the Body Corporate of the Borough the Harbour Dues receivable by them; and for other Purposes.

CAP. xvii.

An Act to amend an Act passed in the third Year of the Reign of King George IV, intituled "An Act for more effectually repairing the Roads from Nether Bridge to Levens Bridge, and from thence through the Town of Millthorpe to Dixes, and from the Town of Millthorpe to Hangbridge, and from thence to join the Heronsyke Turnpike Road near Clawthrop Hall, in the County of Westmoreland."

CAP. xviii.

An Act for more effectually repairing the Road from Beck Fen Lane, in the Parish of Mildenhall, in the County of Suffolk, to Littleport, in the Isle of Ely and County of Cambridge, and other Roads therein mentioned in the Counties of Norfolk and Suffolk.

CAP. xix.

An Act to authorise the Construction of a Bridge across the Lower Turnpike Road leading from Greenwich to Woolwich, and the crossing of a Footpath.

CAP. xx.

An Act for maintaining in Repair several Roads leading from and through the Town of Wiveliscombe, in the County of Somerset, and the Roads adjoining thereto in the Counties of Somerset and Devon.

CAP. xxi.

An Act for making a Railway from the Chester and Holyhead Railway, near Bangor, to Port Dinorwic and Caernarvon.

CAP. xxii.

An Act to amend some of the Provisions of the Acts relating to the Bristol and Exeter Railway Company, and to grant to such Company certain Powers of holding Shares in other Undertakings.

CAP. xxiii.

An Act for empowering the Stockton and Darlington Railway Company, and their Lessors, the Wear Valley Railway Company and the Middlesbrough and Redcar Railway Company, to raise more Money; and for other Purposes.

CAP. xxiv.

An Act for repairing the Road leading from Shrewsbury to Bridgnorth, and several other Roads therein mentioned.

CAP. xxv.

An Act to enable the Scottish Central Railway Company to raise a further Sum of Money.

CAP. xxvi.

An Act for making a Railway from Halesworth to Beccles and Haddiscoe, with a Branch therefrom, to be called "The Halesworth, Beccles, and Haddiscoe Railway."

CAP. xxvii.

An Act for enabling the North British Railway Company to enlarge their Station at Edinburgh, and to make certain short Railways there and at Dalkeith; and for other Purposes.

CAP. xxviii.

An Act for making a Branch Railway from the London and Blackwall Railway to Haydon Square, Whitechapel; and for amending some of the Powers of the Acts relating to the London and Blackwall Railway Company.

CAP. xxix.

An Act for extending the Benefit of the Royal Naval School to Children at present ineligible to be admitted therein; and for authorising the Establishment of a Chapel in Connexion with the said School; and for amending the Acts relating thereto.

CAP. xxx.

An Act for extending the Time limited for widening the London and Blackwall Railway, and for making the Branches to the London and St. Katherine Docks; for erecting a Station and other Works at Rhodeswell, in the Parish of St. Anne; and for amending the Acts relating to the said Railway.

CAP. xxxi.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the Western District of the Richmond and Lancaster Turnpike Road.

CAP. xxxii.

An Act to enable the Company of Proprietors of the Regent's Canal to enlarge the Reservoir on the River Brent; and to amend the Acts relating to the Canal.

CAP. xxxiii.

An Act to amend "The Leicester Waterworks Act, 1847," to make certain Alterations in the Works, and to extend the Period for completing such Works; and also to authorise an Arrangement with the Local Board of Health for the Borough of Leicester.

CAP. xxxiv.

An Act for continuing the Term of the Derby, Ashborne, and Hurdloe Road Act, and for other Purposes.

CAP. xxxv.

An Act for the making of a Railway from Mayfield, in the County of Sussex, to join the Railway from Tunbridge Wells to near Hastings of the South-eastern Railway Company, and to be called "The Mayfield Railway."

CAP. xxxvi.

An Act for supplying the Inhabitants of the Town of Whitby and adjacent Places with Water.

CAP. xxxvii.

An Act for repairing and managing the Roads from the North End of the Town of Derby, in the County of Derby, to Sheffield, in the County of York, and from Duffield to Wirksworth, in the County of Derby.

CAP. xxxviii.

An Act for erecting and maintaining new Public Offices for the County of Aberdeen; for altering and enlarging the present Record Office of the County; and for other Purposes.

CAP. xxxix.

An Act to authorise certain Alterations in the Line and Levels of the Malton and Driffield Junction Railway, and to amend the Act relating thereto.

CAP. xl.

An Act for making a Railway from the Gloucester and Dean Forest Railway, in the Parish of Westbury, in the County of Gloucester, to the City of Hereford.

CAP. xli.

An Act to continue the Term of the Act 6 Geo. 4, c. li, (local), so far as relates to the Turnpike-road between Manchester and Audenshaw, in the Parish of Ashton-under-Lyne, all in the County Palatine of Lancaster; and to make better Provision for the Repair of the Road; and for other Purposes.

CAP. xlii.

An Act to improve the Town of Harwich; to reclaim Part of the Foreshore of Harwich Harbour, and to construct Quays and a Pier; and for other Purposes.

CAP. xliii.

An Act to enable the Commercial Dock Company to purchase and enlarge the East Country Dock; to construct a Tramway to connect their Docks with the Deptford Branch Railway; and for other Purposes.

CAP. xliiv.

An Act to authorise a Deviation in the Line of the Killarney and Valencia Railway, and to continue and revive the Powers granted by "The Killarney and Valencia Railway Act, 1847," for the compulsory Purchase of Lands, and to extend the Period by such Act limited for the Completion of the said Railway.

CAP. xlv.

An Act to enable the Great Northern Railway Company to construct Stations at Knottingley and Wakefield; to increase their Capital; to enlarge their London Station; to amend their Acts; and for other Purposes.

CAP. xlv.

An Act to authorise Deviations of the Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Gools Railway, between Sheffield and Barnsley; and to amend the Acts relating to the said Railway.

CAP. xlvii.

An Act for altering the Name of the Leeds and Thirsk Railway Company to the Name of the Leeds Northern Railway Company; for extending the Time for Completion of certain Works; for regulating the Capital of the Company; and for other Purposes.

CAP. xlviii.

An Act for enabling Arrangements with Reference to the Purchase, Lease, or other Use by the Great Western Railway Company of the Wilts, Somerset, and Weymouth Railway, the Gloucester and Dean Forest Railway, and the South Wales Railway respectively, to be effected; and for other Purposes.

CAP. xlix.

An Act for making and maintaining Docks at Beglan Bay, in the County of Glamorgan, with a Branch Line of Railway to the South Wales Railway.

CAP. l.

An Act for repairing the Road from the Town of Stroud, in the County of Gloucester, through Pitchcomb, into the City of Gloucester.

CAP. li.

An Act for extending the Powers of Price's Patent Candle Company, in Relation to Letters-patent for Inventions applicable to their Undertaking.

CAP. lii.

An Act to enable the South Wales Railway Company to make a new Railway in the Forest of Dean, in Lieu of the Railway already authorised; to construct new Lines at Cardiff and Britton Ferry, and to make an Alteration in the Line and Levels of their Railway; and for other Purposes.

CAP. liii.

An Act for facilitating the Conversion by the South Devon Railway Company of Loan into Capital, and for enabling the same Company to effect Arrangements between different Classes of Shareholders for the Creation of new Shares; and for other Purposes.

CAP. liv.

An Act for making a Railway from the Edinburgh, Perth, and Dundee Railway at or near to Milton, in the Parish of Leuchars, to the City of St. Andrew's, to be called "The St. Andrew's Railway."

CAP. lv.

An Act to consolidate and amend the Acts relating to the Edinburgh, Perth, and Dundee Railway Company, and to grant further Powers to the said Company.

CAP. lvi.

An Act to amend the Acts relating to the East Lancashire Railway Company, and to enable the Company to increase their Capital and Tolls.

CAP. lvii.

An Act to regulate and increase the Capital of the Midland Railway Company, and to confirm and legalise the Creation and Issue of certain Fifty Pound Shares, and the Application of the Proceeds of such Shares; and for other Purposes.

CAP. lviii.

An Act to facilitate Intercourse between the Eastern Union and certain other Railways; to alter certain Charges upon the Eastern Union Railway and the Stowmarket Navigation; and for other Purposes.

CAP. lix.

An Act to amend an Act passed in the sixth Year of the Reign of King George IV, intituled "An Act for repairing and maintaining the Road from Huddersfield, in the West Riding of the County of York, to New Hey, in the Parish of Rochdale, in the County of Lancaster, with a Branch to Toothill Lane in the said Riding, and for making a new Road from Buckstones to the Highway leading from Ripponden to Stainland at or near to Barkisland School," and to continue the Term thereby granted.

CAP. lx.

An Act for managing and repairing the Roads leading from Uttoxeter to Stoke, near Stone, and from Millwich to Sandon, in the County of Stafford.

CAP. lxi.

An Act to extend the Term and alter the Provisions of two Acts relating to the Buckingham, Brackley, and Banbury Turnpike-road, and of an Act relating to the Towcester, Brackley, and Weston-on-the-Green Turnpike-road, and to consolidate the Management of the said Turnpike-roads.

CAP. lxii.

An Act to authorise certain Deviations of the Slamannan and Borrowstouness Railway.

CAP. lxiii.

An Act to enable the Dundee and Arbroath Railway Company to enlarge their present Terminal Station in Dundee, and to amend the Acts relating to the Company.

CAP. lxiv.

An Act to alter the Constitution of the Committee for the Affairs of the Estate of the Trustees of the Liverpool Docks, to authorise the Establishment of an Emigrant's Home, and to alter and amend the Acts relating to the Docks and Harbour of Liverpool.

CAP. lxv.

An Act for extending the Provisions of the Weston-super-Mare Improvement and Market Act, and for granting further Powers relating to the Sewage of the Town.

CAP. lxvi.

An Act for constructing a Railway from the Tivetshall Station of the Eastern Union Railway to Bungay, in Suffolk.

CAP. lxvii.

An Act for the better Improvement and Regulation of the Borough of Sunderland, in the County of Durham; and for other Purposes.

CAP. lxviii.

An Act to enable the Company of Proprietors of the Hayling Bridge and Causeway to construct a Railway from their Docks and Wharfs at Langstone to join the London, Brighton, and South-coast Railway at Havant, in the County of Southampton.

CAP. lxix.

An Act to incorporate the Great Central Gas Consumers Company.

CAP. lxx.

An Act to alter and enlarge the Powers of the Reading Waterworks Company, and to authorise an Extension of the Works of the said Company.

CAP. lxxi.

An Act for making a Railway from Warrington to Altrincham, with a Branch to join the Birkenhead, Lancashire, and Cheshire Junction Railway at Lower Walton, to be called "The Warrington and Altrincham Junction Railway;" and for other Purposes.

CAP. lxxii.

An Act for enabling the Maryport and Carlisle Railway Company to make a Deviation in their Line of Railway, and increase their Capital; and for other Purposes.

CAP. lxxiii.

An Act for constructing and maintaining a Quay and other Works at North Shields, in the County of Northumberland; and for other Purposes.

CAP. lxxiv.

An Act to ratify and confirm certain Subscriptions and Payments made by or on Behalf of the South Wales Railway Company to other Railway Companies.

CAP. lxxv.

An Act to amend the Act relating to the Great North of Scotland Railway Company.

CAP. lxxvi.

An Act to renew the Term and continue the Powers and Provisions of an Act passed in the first Year of the Reign of his Majesty King George IV, intituled "An Act for more effectually repairing and improving several Districts of Malmesbury Turnpike Roads, and other Roads connected therewith, in the Counties of Wilts, Berks, and Gloucester," so far as relates to the first and second Districts.

CAP. lxxvii.

An Act to authorise the Chorley Waterworks Company to raise a further Sum of Money.

CAP. lxxviii.

An Act for the better raising and securing a Fund for a Provision for the Widows and Children of the Ministers of the Free Church, and for the Widows and Children of the Professors holding Professors' Offices in any College connected with the said Church.

CAP. lxxix.

An Act for the further Amendment of the Acts relating to the Manchester Corporation Waterworks.

CAP. lxxx.

An Act to explain, amend, and enlarge some of the Provisions of the Acts relating to the Great Southern and Western Railway Company; and to enable the said Company to raise further Capital, and to construct a Dock or Basin at Cork.

CAP. lxxxi.

An Act for enabling the Great Western Railway Company to construct a Station and Works at Aston-juxta-Birmingham.

CAP. lxxxii.

An Act to provide for the Repair and Maintenance of the Cathedral Church of St. Patrick, Dublin.

CAP. lxxxiii.

An Act for authorising certain Deviations in the Taw Vale Extension Railway; and for other Purposes.

CAP. lxxxiv.

An Act for enabling the York, Newcastle, and Berwick Railway Company to abandon a Portion of their Bishop Auckland Branch Railway, and substitute in Lieu thereof a new Line of Railway; and to extend the Time for the Purchase of Lands and Completion of Works on certain Lines of Railway authorised to be made in the County of Durham; and for other Purposes.

CAP. lxxxv.

An Act for facilitating the Transmission to and from the York, Newcastle, and Berwick Railway of the Traffic of the Byers Green Branch of the Clarence Railway; for enabling the York, Newcastle, and Berwick Railway Company to hold Shares in the West Durham Railway; for granting further Powers to their Lessors, the Great North of England, Clarence, and Hartlepool Junction Railway Company, and the Hartlepool Dock and Railway Company, in Reference to their Capital; and for other Purposes.

CAP. lxxxvi.

An Act for amending the Act relating to the Electric Telegraph Company.

CAP. lxxxvii.

An Act for the Restoration of the Standard in the River Dee, and for granting further Powers to the River Dee Company.

CAP. lxxxviii.

An Act to authorise the Acquisition by the Midland Railway Company of the Estate and Interest of the Leeds and Bradford Railway Company in the Leeds and Bradford Railway, and to empower the Midland Railway Company to raise Money for such Purpose.

CAP. lxxxix.

An Act for extending and enlarging the Powers of the Bolton, Blackburn, Clitheroe, and West Yorkshire Railway Company; for changing the Name of the Company; and for other Purposes.

CAP. xc.

An Act for supplying with Water the Town of Stockton, in the County of Durham, and the Suburbs thereof, and the Towns of Middlesbrough and Yarm, in the North Riding of the County of York; and the Suburbs thereof respectively; and for other Purposes.

CAP. xci.

An Act to continue "The City of London Sewers Act, 1848," and to alter and amend the Provisions of the said Act.

CAP. xcii.

An Act for repealing and amending the Provisions of the Acts relating to the Navigation of the River Cam or Cham, alias Grant, between Clayhithe Ferry and the King's Mill in the Town of Cambridge; for altering the Navigation Tolls; for enabling the Conservators of the said River to sue and be sued in the Name of their Clerk; for conferring additional Powers; and other Purposes.

CAP. xciii.

An Act for transferring to the Mayor, Aldermen, and Burgesses of the Borough of Birmingham, in the County of Warwick, the Estates, Properties, and Effects now vested in certain Commissioners having Jurisdiction over Parts of the Borough; and to provide for the better draining, lighting, paving, supplying with Water, and otherwise improving the said Borough, and making Provision for the good Government, Regulation, and Management thereof.

CAP. xciv.

An Act for enabling the South Staffordshire Railway Company to make a certain Branch Railway; for authorising Arrangements with the London and North-western Railway Company; and for other Purposes.

CAP. xcv.

An Act to enable the Cork and Waterford Railway Company to make Arrangements as to their Capital, and to provide for the immediate Completion of the Tramore Branch.

CAP. xcvi.

An Act for the Improvement of the Town of Great Malvern, in the County of Worcester, and for supplying the same with Water.

CAP. xcvi.

An Act for better paving, lighting, draining, cleansing, and otherwise regulating and improving a Portion of the Borough of Newark, in the County of Nottingham; for regulating the Butchers' Market therein; and for authorising the Commissioners of the Newark Branch of the River Trent Navigation to contribute out of their Funds a Sum of Money for the aforesaid Purposes.

CAP. xcvi.

An Act for the Consecration of a Portion of the Brighton Extramural Cemetery.

CAP. xcix.

An Act to enable the Caledonian Railway Company to provide for the Construction of certain Branch Railways in the County of Lanark.

CAP. c.

An Act for making a Railway from the Loop Line of the Windsor, Staines, and South-western (Richmond to Windsor) Railway, in the Parish of Basing, in the County of Middlesex, to the London and North-western Railway, in the Parish of Hammersmith, in the said County, with a Branch, to be called "The North and South-western Junction Railway."

CAP. ci.

An Act for amending the Acts relating to the East Anglian Railways.

CAP. cii.

An Act for making a Railway from the Furness Railway at Ulverstone to the Lancaster and Carlisle Railway at Carnforth, to be called "The Ulverstone and Lancaster Railway."

CAP. ciii.

An Act to amend "The Killarney Junction Railway Act, 1846."

CAP. civ.

An Act for the Improvement of the City and Borough of Bath; for the Regulation of the Markets; and for amending the Act for supplying Bath with Water.

CAP. cv.

An Act for facilitating the Settlement of the Affairs of the Governor and Company of Copper Miners in England, and for the better Management of the said Company.

CAP. cvi.

An Act for new incorporating the Edinburgh Lunatic Asylum under its present Name of "The Royal Edinburgh Asylum for the Insane;" for enabling the said Corporation to borrow Money; and for other Purposes.

CAP. cvii.

An Act to enable the Dublin, Dundrum, and Rathfarnham Railway Company to extend their Railway from Dundrum to Bray; and to extend the Time and to continue and revive the Powers granted by the Acts relating to the Dublin, Dundrum, and Rathfarnham Railway Company for the compulsory Purchase of Lands and Completion of Works; and to amend the Acts relating to "The Dublin, Dundrum, and Rathfarnham Railway;" and for other Purposes.

CAP. cviii.

An Act to authorise the Abandonment of a Portion of the Waterford, Wexford, Wicklow, and Dublin Railway, and the Construction of a new Line of Railway in Lieu of a Portion of the Line to be abandoned; to extend, in Respect of a Portion of the said Undertaking, the Periods at present limited for compulsory Purchase of Lands and for Completion of Works; and to amend the Acts relating to the said Railway; and for other Purposes.

CAP. cix.

An Act for amending and enlarging the Powers of the several Acts relating to "The Company of Proprietors of the Itchen Bridge and Roads."

CAP. cx.

An Act to authorise a Deviation in the Line of the Waterford and Limerick Railway, and to amend the Acts relating thereto; and for other Purposes.

CAP. cxi.

An Act for supplying with Water the Parish or Township of East Stonehouse, in the County of Devon, and for Amendment of Act.

CAP. cxli.

An Act for making a Railway from Waterford to Tramore.

CAP. cxlii.

An Act to extend the Time for the Purchase of certain Lands and Completion of Works authorised by "The Midland Railway (Ripley Branches) Act, 1848," and on the Gloucester and Stonehouse Junction Railway.

CAP. cxiv.

An Act to enable the Great Northern Railway Company to construct Works in Connexion with the Manchester, Sheffield, and Lincolnshire Railway; and to facilitate the Use of that Railway by the Company; and for other Purposes.

CAP. cxv.

An Act for amending the Powers of the Imperial Continental Gas Association.

CAP. cxvi.

An Act for better paving, lighting, cleansing, regulating, and improving the Parish of St. Mary Abbott's, Kensington.

CAP. cxvii.

An Act for enabling the Commissioners of the Pier and Port of Hartlepool to construct an additional Pier for the Protection of the Harbours and Bay of Hartlepool, and to establish and maintain a Ferry across the Commissioners' Harbour; for enabling the Commissioners to raise further Monies; for repealing, consolidating, and amending the Acts relating to the said Pier and Port; and for other Purposes.

CAP. cxviii.

An Act for incorporating the Magnetic Telegraph Company, and to enable the said Company to work certain Letters-patent.

CAP. cxix.

An Act for paving, lighting, cleansing, and otherwise improving the several Townships and Places in the Borough of Manchester, and amending and consolidating the Provisions of existing Local Acts relating thereto.

CAP. cxx.

An Act for enabling the Mayor and Commonalty and Citizens of the City of London to complete the Improvements authorised to be made by the Clerkenwell Improvement Commissioners, and for amending the Acts relating to such Improvements.

CAP. cxxi.

An Act to amend an Act passed in the Session of Parliament of the fifth and sixth Years of the Reign of her present Majesty, intituled "An Act for making and maintaining and improving a Harbour at Wicklow, in the County of Wicklow."

CAP. cxxii.

An Act for constructing a Wet Dock and other Works in Connexion with Warkworth Harbour, in the County of Northumberland, and for limiting the Amount of Rates and Tolls by "The Warkworth Harbour Act, 1847," authorised to be levied, and for varying the Application thereof.

CAP. cxxiii.

An Act to amend and enlarge some of the Provisions of the Acts relating to the Thames Haven Dock and Railway.

CAP. cxxiv.

An Act to amend "The Wexford Free Bridge Act, 1847."

CAP. cxv.

An Act for amending the Acts relating to the Llynvi Valley and Duffryn Llynvi and Porth Cawl Railways, and for forming a Junction between such Railways and the South Wales Railway.

CAP. cxvii.

An Act to enable the Manchester, Buxton, Matlock, and Midlands Junction Railway Company to complete the Purchase of the Cromford Canal.

CAP. cxviii.

An Act for extending the Period for the Completion of Cameron's Coalbrook Steam Coal and Swansea and Lougher Railway, and for amending the Act relating to such Railway.

CAP. cxviii.

An Act to extend the leasing Powers of the Corporate Body of the Provost, Fellows, and Scholars of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and also of the Provost thereof in his Corporate Capacity, and to enable them to make Grants of Lands in Perpetuity to their Lessees in certain Cases.

CAP. cxix.

An Act for making a Railway from the London and North-western Railway, in the Township of Salford, across the River Irwell, into the Borough of Manchester, to be called "The Manchester and Salford Extension Railway."

CAP. cxxx.

An Act for better enabling the General Reversionary and Investment Company to sue and be sued, and to facilitate the holding and Transfer of the Property of the Company by and from the present and future Trustees thereof; and for other Purposes.

CAP. cxxxi.

An Act to authorise the Shrewsbury and Chester Railway Company to abandon the Crickheath and Wem Branches; to construct a Station at Birkenhead; to enter into Arrangements with other Companies; and for other Purposes.

CAP. cxxxii.

An Act for amending and extending the Provisions of the Act for the Improvement of the Town of St. Helen's, in the County Palatine of Lancaster; and for other Purposes.

CAP. cxxxiii.

An Act for repairing the Road from Sheffield, in the County of York, to the Marple Bridge Road, in the Parish of Glossop, in the County of Derby, and the Branch to Mortimer's Road, in the Parish of Hathersage, in the said County of Derby.

CAP. cxxxiv.

An Act to sanction certain Arrangements entered into between the Caledonian Railway Company and the Holders of guaranteed and preferential Interests in the Company, and to enable the Company to raise a further Sum of Money.

CAP. cxxxv.

An Act for incorporating the European and American Electric Printing Telegraph Company, and to enable them to work certain Letters-patent.

CAP. cxxxvi.

An Act for reclaiming from the Sea certain Lands abutting on the Coast of Lincolnshire, within the Parts of Holland.

CAP. cxxxvii.

An Act for enabling the United Kingdom Electric Telegraph Company to purchase and work certain Letters-patent.

CAP. cxxxviii.

An Act for incorporating the Council of King's College, London, and the President, Vice-Presidents, Treasurer, and Governors of King's College Hospital, and for connecting the said Hospital as a Medical School with the said College, and for better enabling the Corporation to carry on their charitable and useful Designs.

CAP. cxxix.

An Act to dissolve the National Land Company, and to dispose of the Lands and Property belonging to the Company, and to wind up the Undertaking.

CAP. cxli.

An Act to extend the Limits of the Brunswick-square (Hove) Improvement Act, and for other Purposes.

CAP. cxlii.

An Act to amend the several Acts relating to the Waterford and Kilkenny Railway Company; to enable the said Company to sell or lease their Undertaking, and to purchase or lease the Bridge over the River Suir at Waterford; and for other Purposes.

CAP. cxliii.

An Act to enable the Trustees of the South Holland Drainage, in the County of Lincoln, to raise further Monies.

CAP. cxliiii.

An Act to amend "The Farmers' Estate Society (Ireland) Act, 1848."

CAP. cxliv.

An Act to enable the Charing-cross Bridge Company to raise further Monies; to amend the Acts relating to the Company; and for other Purposes.

CAP. cxlv.

An Act for enabling the Class (A.) Shareholders of the St. Andrew's and Quebec Railroad Company to divide the Shares in the Undertaking into two Classes; and for other Purposes.

CAP. cxlvi.

An Act to amend the Acts relating to the Vend and Delivery of Coals in London and Westminster, and in certain Parts of the adjacent Counties; and to allow a Drawback on Coals conveyed beyond certain Limits.

London Gazettes.

TUESDAY, SEPTEMBER 30.

BANKRUPTS.

JAMES BASSETT, High-street, Shoreditch, Middlesex, hotel and eating-house keeper, butcher, dealer and chapman, Oct. 9 and Nov. 13 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Jenkinson & Co., 29, Lombard-street.—Petition filed Sept. 26.

WILLIAM HAYHOW, Ratcliffe-highway, and High-street, Shadwell, Middlesex, boot and shoe maker, Oct. 15 at 12, and Nov. 13 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Stoddart, 6, Racquet-court, Fleet-street, London; Archer, 36, Bloomsbury-street, Bedford-square.—Petition filed Sept. 29.

WILLIAM MARSTON WHALLEY, late of South Mimms, and now of Warren Gate Farm, South Mimms, Middlesex, licensed victualler, dealer and chapman, Oct. 14 at 2, and Nov. 13 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Malton & Baynes, 60, Carey-street, Lincoln's-inn-fields.—Petition filed Sept. 25.

WILLIAM WICKENS HOLMAN, Bath, draper, dealer and chapman, Oct. 15 at 1, and Nov. 13 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Mardon & Pritchard, 99, Newgate-st., London.—Petition filed Sept. 20.

PEARCE MANASSEH HADLEY, Cardiff, Glamorgan-shire, corn and provision merchant, dealer and chapman, Oct. 15 and Nov. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Bevan, Bristol; Greenway, Pontypool, Monmouthshire.—Petition filed Sept. 27.

ROBERT HUNTER, Swansea, Glamorgan-shire, linendraper, Oct. 14 and Nov. 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Leman & Humphries, Bristol.—Petition filed Sept. 26.

JOHN WILLIAMS, Oullwyn Ironworks, Cadouton-juxta-Neath, Glamorgan-shire, ironmaster, dealer and chapman, Oct. 14 and Nov. 11 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Brittain & Sons, Bristol.—Petition filed Sept. 19.

GEORGE MARSHALL BASS, Louth and Horncastle, Lincolnshire, grocer and tea dealer, Oct. 15 and Nov. 12 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Hull; Sols. Bond & Barwick, Leeds; Lawrance & Co., 14, Old Jewry-chambers, London.—Petition dated Sept. 23; filed Sept. 24.

JOHN HEYWOOD and **JAMES HEYWOOD**, Liverpool, provision merchants, dealers and chapmen, (trading under the style or firm of John & James Heywood), Oct. 15 and Nov. 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Dodge, Liverpool.—Petition filed Sept. 25.

MEETINGS.

John Curd, Grove-street, Camden-town, Middlesex, cheesemonger, Oct. 30 at 12, Court of Bankruptcy, London, div.—**Edward Harratt** and **John Bland**, Huntingdon and Godmanchester, Huntingdonshire, builders, Oct. 23 at 12, Court of Bankruptcy, London, div.—**William Henry Boon**, Plymouth, Devonshire, ironmonger, Oct. 23 at half-past 1, District Court of Bankruptcy, Plymouth, div.—**Thomas Pearson**, Plympton St. Mary, Devonshire, merchant, Oct. 23 at half-past 1, District Court of Bankruptcy, Plymouth, div.—**Betsy Daw**, Lumborn-mills, near Tavistock, Devonshire, miller, Oct. 23 at half-past 1, District Court of Bankruptcy, Plymouth, div.—**John Bowes**, Liverpool, porter dealer, Oct. 22 at 11, District Court of Bankruptcy, Liverpool, div.—**James Merrell**, Walcot, Holy Cross, Pershore, Worcestershire, cattle dealer, Oct. 23 at half-past 11, District Court of Bankruptcy, Birmingham, div.—**Thomas Davis**, **James Glossop**, and **James Brankley**, Morris-mill, Pilsworth, near Bury, Lancashire, dyers, Oct. 23 at 12, District Court of Bankruptcy, Manchester, div. joint est., and div. sep. ests. of **James Glossop** and **James Brankley**.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

William Williams, Ashford, Kent, builder, Oct. 22 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

John George Casaigne, Salisbury-street, Strand, Middlesex wine merchant.—**James Cobb**, Preston, Lancashire, innkeeper.

PARTNERSHIPS DISSOLVED.

William Nicholson and **James Nicholson**, together with **Peter Nicholson**, deceased, Warrington, Lancashire, attorneys and solicitors, (the business will henceforth be carried on by the said **James Nicholson** alone).—**Richard William** and **Thomas Gold Edwards**, Denbigh, attorneys and solicitors, (under the name or firm of **Williams & Edwards**).

SCOTCH SEQUESTRATIONS.

James Cunningham, Torphim, Edinburgh, grazier.—**Andrew Guthrie**, Dundee, draper.—**David Baxter**, Edinburgh, baker.—**Robert Menzies**, Edinburgh, spirit dealer.—**Hugh Munro**, Dingwall, merchant.—**James Meekison**, Dundee, baker.

DECLARATION OF INSOLVENCY.

Joseph Whitehead, Primrose, Saddleworth, Yorkshire, Oct. 11 at 11, County Court of Yorkshire, at Saddleworth.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Lane, Portsmouth, Southampton, licensed victualler, Oct. 15 at 10, County Court of Hampshire, at Portsmouth.—**Thomas Peat** the younger, Southsea, Hampshire, of no trade, Oct. 15 at 10, County Court of Hampshire, at Portsmouth.—**Joseph Glue**, Kingston-upon-Hull, bricklayer, Oct. 18 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**John Fisher**, Kingston-upon-Hull, beer-house keeper, Oct. 18 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**William Jacob**, Kingston-upon-Hull, out of business, Oct. 18 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Joseph Roe**, Kingston-upon-Hull, out of business, Oct. 18 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—**Thomas Ward Davies**, Llanelly, Carmarthenshire, printer, Oct. 23 at 11, County Court of Carmarthenshire, at Llanelly.—**Thomas Davies**, Llanelly, Carmarthenshire, auctioneer, Oct. 23 at 11, County Court of Carmarthenshire, at Llanelly.—**Henry Dawkins**, Llanestephan, Carmarthenshire, victualler, Oct. 21 at 2, County Court of Carmarthenshire, at Carmarthenshire.—**Henry Hardware**, Coventry, Warwickshire, licensed

victualler, Oct. 18 at 12, County Court of Warwickshire, at Coventry.—*Owen Parry*, Llanerchymedd, Anglesey, currier, Oct. 22 at 10, County Court of Anglesey, at Llangefni.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 11 at 11, before the CHIEF COMMISSIONER.

Wm. H. Norton, Swan-street, Minories, London, engraver.—*Samuel Hollands*, New-road, Wandsworth-road, Surrey, bricklayer.

Nov. 12 at 11, before the CHIEF COMMISSIONER.

George Conquest, Wilson-terrace, Three Mill-st., Bromley, Middlesex, engraver.—*Thomas Rayson*, Fore-st., Cripplegate, London, clerk to an accountant.—*Henry Cripe*, Lewis-street, Kentish-town, Middlesex, assistant to a farrier.—*J. Izard*, High-hill Ferry, Upper Clapton, Hackney, Middlesex, beer-shop keeper.—*Wm. Costin*, High-st., Shoreditch, Middlesex, Leghorn presser.—*John Taylor*, Brook-hill-road, Woolwich, Kent, market gardener.—*Thomas Hills*, Kingston, Surrey, bookbinder.—*Wm. Heslop*, Newgate-market, Newgate-street, London, butcher.—*Charles J. Preedy*, Acton-st., Gray's-inn-road, Clerkenwell, Middlesex, out of business.—*W. J. Ferris*, Mary-Ann-terrace, Abbey-street, Bethnal-green-road, Middlesex, butcher.—*R. B. Holmes*, Charrington-street, Oakley-sq., Middlesex, clerk in the Clearing House at the London and North-western Railway.

Nov. 12 at 10, before Mr. Commissioner LAW.

Richard Marks, Long-alley, Crown-street, Finsbury-square, Middlesex, greengrocer.—*W. Wright*, Gibson-st., Waterloo-road, Lambeth, Surrey, smith.—*Bigsby Miller*, Artillery-st., Bishopsgate, Middlesex, assistant to an oil merchant.—*Wm. Brownrigg*, Stanhope-st., Hampstead-road, Middlesex, tailor.—*Geo. Trigg*, Montpelier-terrace, Montpelier-sq., Knightsbridge, Middlesex, retailer of milk.—*Wm. Price J. Wilson*, Albany-road, Barnsbury, Islington, Middlesex, composer of music.

Saturday, Sept. 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Thos. Smith, Hayes-grove, Hayes-common, near Bromley, Kent, carpenter, No. 74,065 C.; *Daniel Laslett*, assignee.—*Wm. Twerner*, Sent Hill Farm, Moretonhampstead, Devonshire, farmer, No. 74,077 C.; *John Rowe*, assignee.—*Wm. Gris*, Brighton, Sussex, schoolmaster, No. 74,125 C.; *Rich. Tuppen* and *Joseph Ames*, assignee.

Saturday, Sept. 27.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

James Peacock, Crawley-street, Oakley-sq., Camden-town, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*James White*, Trafalgar-street, Walworth-road, Surrey, plumber: in the Gaol of Surrey.—*J. Dale*, Church-st., Old Kent-road, Surrey, mercantile clerk: in the Debtors Prison for London and Middlesex.—*John Costar*, Cambridge-terrace, Edgeware-road, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Wm. Henry Meek*, Brick-lane, Old-street, St. Luke's, Middlesex, silver-smith: in the Debtors Prison for London and Middlesex.—*Montgomery Hunter*, Jermyn-street, St. James's, Middlesex, ensign in the 18th regiment of Bengal Native Infantry: in the Queen's Prison.—*George Newman*, Grove-road, St. John's-wood, Middlesex, stable keeper: in the Debtors Prison for London and Middlesex.—*Wm. Ackers Smith*, Denbigh-st., Belgrave-road, Piccadilly, attorney-at-law: in the Queen's Prison.—*Henry Lack*, Underwood-st., Mile-end New-town, Middlesex, pig jobber: in the Debtors Prison for London and Middlesex.—*William Barrett*, Strand, accountant: in the Debtors Prison for London and Middlesex.—*Joseph Bell*, Hereford-place, New Peckham, Surrey, surveyor of Inland Revenue: in the Debtors Prison for London and Middlesex.—*Thomas Baxter*, Manchester, reed maker: in the Gaol of Lancaster.—*Richard Christopher Heigham*, Norwich, Norfolk, brewer: in the Gaol of Norwich.—*Mark Metcalf*, Liverpool, bookseller: in the Gaol of Lancaster.—*Alex. Pinder*,

Salford, Burnley, Lancashire, blacksmith: in the Gaol of Lancaster.—*J. Waddington*, Habergham Eaves, near Burnley, Lancashire, blacksmith: in the Gaol of Lancaster.—*James Whitehead*, Ashton-under-Lyne, Lancashire, wood turner: in the Gaol of Lancaster.—*Samuel Wood*, Bridgewater, Somersetshire, furniture broker: in the Gaol of Wilton.—*Thomas Smith Elstob*, Ipswich, Suffolk, victualler: in the Gaol of Ipswich.—*Thomas Gibson*, Hawcoat, near Dalton-in-Furness, Lancashire, farmer: in the Gaol of Lancaster.—*John Green*, Hull, Yorkshire, glass dealer: in the Gaol of York.—*Hannah Hoggard*, Edwinstowe, Nottinghamshire, blacksmith: in the Gaol of Nottingham.—*Charles Holt*, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Job Shottin*, Heaton Norris, Lancashire, assistant to a pawnbroker: in the Gaol of Lancaster.—*William Edward Waddington*, Barnale, Yorkshire, currier: in the Gaol of York.—*Felix Webb*, Studley, Warwickshire, needle pointer: in the Gaol of Coventry.—*Wm. Woolford*, Apperley Bridge, near Bradford, Yorkshire, stuff presser: in the Gaol of York.—*William Reynolds*, Pitney, near Langport, Somersetshire, farmer: in the Gaol of Wilton.—*Thomas Copland*, Shieldfield, Newcastle-upon-Tyne, commercial traveller: in the Gaol of Newcastle-upon-Tyne.—*Daniel Burton*, Bradford, Yorkshire, printer: in the Gaol of York.—*Nicholson Marshall Robinson*, Bramley, near Leeds, Yorkshire, joiner: in the Gaol of York.—*Thomas Miles*, Beacon-hill, Walcot, Somersetshire, dealer in boots and shoes: in the Gaol of Wilton.—*John Rose Holder*, Ferry-side, near Carmarthen, commission agent: in the Gaol of Bristol.—*Samuel Newell*, Birmingham, retail brewer: in the Gaol of Coventry.—*James Woodward*, Lichfield, grocer: in the Gaol of Coventry.—*Rees Jones* the younger, Abertillery, Monmouthshire, grocer: in the Gaol of Cardiff.—*James Babb*, Breatham Bottom, Halberton, Devonshire, general-shop keeper: in the Gaol of St. Thomas the Apostle.—*Wm. Cook*, Plumstead-common, Kent, farmer: in the Gaol of Maidstone.—*Thomas Pitkin*, John-st., Portland-town, Middlesex, milkman: in the Debtors Prison for London and Middlesex.

(On Creditors' Petition).

Wm. Henry Leigh, Cockthoo-hall, near Blackburn, Lancashire, attorney-at-law: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Norfolk, at NORWICH, Oct. 13 at 10.

Richard Christopher Heigham, Norwich, licensed brewer.

At the County Court of Gloucestershire, at BRISTOL, Oct. 15 at 11.

John Rose Holder, Holewin House, Ferry-side, near Carmarthen, commission agent.

At the County Court of Warwickshire, at COVENTRY, Oct. 18 at 12.

Wm. Ward, Rugby, wheelwright.—*W. Shepherd*, Princethorpe, tailor.—*Richard Cleaver*, Stretton-upon-Dunsmore, publican.—*John Hampton*, Birmingham, labourer.—*Edward Howe*, Chilvers Coton, near Nuneaton, tailor.—*Abraham Emma*, Birmingham, assistant to a retail brewer.—*Felix Webb*, Studley, needle pointer.—*Philip M'Anally*, Birmingham, travelling draper.

At the County Court of Nottinghamshire, at NOTTINGHAM, Oct. 20 at 9.

Mark Kirk, Nottingham, bricklayer.

At the County Court of Anglesey, at LLANGEFNI, Oct. 22 at 10.

Joseph David Williams, Holyhead, coal merchant.

FRIDAY, OCTOBER 3.

BANKRUPTS.

HENRY LEWIN, Wellingborough, Northamptonshire, linen-draper, dealer and chapman, Oct. 13 and Nov. 10 at 1. Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Messrs. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition filed Aug. 29.

WILLIAM HENRY ORAM and WILLIAM HEARD, Noble-st., London, traders, Oct. 10 at 1, and Nov. 13 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Messrs. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition filed Sept. 20.

ISAAC HAYES, St. John's-lane, Clerkenwell, Middlesex, stereotype founder, (trading under the style and firm of Downing & Co.), Oct. 15 at 1, and Nov. 13 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Nicholson & Parker, 48, Lime-street, Leadenhall-street.—Petition filed Sept. 30.

NOAH WELCH, Deepfields, Sedgely, Staffordshire, iron manufacturer, Oct. 14 and Nov. 4 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Brown, Bilston; James, Birmingham.—Petition dated Sept. 23.

WILLIAM PLAISTER and MARY PLAISTER, Wickwar, and Bristol, Gloucestershire, cheese factors, maltsters, dealers and chapman and chapwoman, Oct. 14 at 12, and Nov. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Trenfield, Chipping Sudbury.—Petition filed Sept. 27.

JOHN HODGES, Bristol, carpenter and builder, and late porter dealer, dealer and chapman, Oct. 15 at 11, and Nov. 12 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Brittan, Bristol.—Petition filed Sept. 23.

JAMES STEVENSON, Liverpool, merchant, dealer and chapman, Oct. 13 and Nov. 4 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Snowball, Liverpool; Sydney, 46, Finsbury-circus, London.—Petition dated Sept. 25; filed Sept. 26.

WILLIAM GREEN the younger, Higher Tranmere, Cheshire, brewer, Oct. 17 and Nov. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Greatley, Liverpool.—Petition filed Oct. 1.

THOMAS MANNERLING HARRIS, Liverpool, shipowner, dealer and chapman, Oct. 17 and Nov. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Pemberton, Liverpool.—Petition filed Sept. 24.

WILLIAM CRANKSHAW, Colne, Lancashire, cotton spinner and manufacturer, Oct. 13 and Nov. 3 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sols. Atkinson & Co., Manchester.—Petition filed Sept. 20.

MEETINGS.

Isaac Boyd, Spital-square, Middlesex, silk manufacturer, Oct. 14 at 1, Court of Bankruptcy, London, and ac.—*Thos. Davis, James Glossop, and James Brankley*, Pilsworth, near Bury, Lancashire, dyers, Oct. 16 at 12, District Court of Bankruptcy, Manchester, and ac.—*James Ascomb*, Blackburn, Lancashire, and York, draper, Oct. 23 at 12, District Court of Bankruptcy, Manchester, and ac.—*James Emery*, Preston, Lancashire, innkeeper, Oct. 23 at 12, District Court of Bankruptcy, Manchester, and ac.; Oct. 24 at 12, div.—*William Ayres*, Cardiff, Glamorganshire, grocer, Oct. 16 at 11, District Court of Bankruptcy, Bristol, and ac.—*J. Greenshields and Matthew Strang*, Liverpool, merchants, Oct. 13 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thomas Alleton*, Liverpool, and Broughton House, near Chester, Cheshire, drysalter, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Wm. Ellis*, Liverpool, printer, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Geo. Rigby and John Rigby*, Liverpool, coal merchants, Oct. 14 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Hugh Jones*, Gaerwen, Anglesey, ironmonger, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*James M. Gardner*, Liverpool, wine merchant, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Charles Jones*, Llanfyllin, Montgomeryshire, grocer, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*James S. Holmes*, Liverpool, merchant, Oct. 15 at 11, District Court of Bankruptcy, Liverpool, and ac.—*John Owens*, Welshpool, Montgomeryshire, flannel manufacturer, Oct. 13 at 11, District Court of Bankruptcy, Liverpool, and ac.—*G. Lupton*, St. Helen's, Lancashire, tailor, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, and ac.; Oct. 24 at 11, div.—*Robert Taylor*, Liverpool, ironmonger, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, and ac.; Oct. 24 at 11, div.—*Thomas Hailston*, Wheelock, Cheshire, grocer, Oct. 16 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Henry T. Smith and John Hewitt*, Liverpool, tailors, Oct. 16 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Joseph Jones*, Liverpool, licensed victualler, Oct. 16 at 11, District Court of Bankruptcy, Liverpool, and ac.—*William Ward*, Liverpool, coffee-house keeper, Oct. 16 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thos. Richardson*, Liverpool, cutler, Oct. 16 at 11, District Court of Bank-

ruptcy, Liverpool, and ac.—*Wm. Henry Boon*, Plymouth, Devonshire, ironmonger, Oct. 23 at half-past 1, District Court of Bankruptcy, Plymouth, and ac.—*Thomas Pearson*, Plympton St. Mary, Devonshire, merchant, Oct. 23 at half-past 1, District Court of Bankruptcy, Plymouth, and ac.—*Betsy Daw*, Lumborn Mills, near Tavistock, Devonshire, miller, Oct. 23 at half-past 1, District Court of Bankruptcy, Plymouth, and ac.—*James Amos*, Coventry, Warwickshire, trimming manufacturer, Oct. 21 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—*Benjamin Todd*, Coventry, Warwickshire, cotton dresser, Oct. 21 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—*Thomas Pottinger*, Jersey, *Henry Howell*, Charles-street, Manchester-square, Middlesex, and *Alexander Oswald*, Adelaide-row, Hampstead, Middlesex, merchants, Nov. 6 at 11, Court of Bankruptcy, London, div. joint est., and div. seps. ests. of *Thomas Pottinger and Alexander Oswald*.—*George Smellie*, High-street, Shadwell, Middlesex, silversmith, Oct. 25 at half-past 12, Court of Bankruptcy, London, div.—*Robert Noble*, Leadenhall-street, London, tailor, Oct. 25 at half-past 11, Court of Bankruptcy, London, div.—*John Dodgson and George Bradbury*, Bishopsgate-st. Without, and Moor-lane, Fore-street, London, ironmongers, Oct. 29 at 11, Court of Bankruptcy, London, div.—*Thomas Keating*, St. Paul's-churchyard, London, druggist, Oct. 21 at 11, Court of Bankruptcy, London, div.—*James Bowler*, Crescent, Southwark-bridge-road, Southwark, Surrey, hat manufacturer, Oct. 24 at 12, Court of Bankruptcy, London, div.—*Richard Peacock*, Ladbroke-grove, Notting-hill, Middlesex, plumber, Oct. 24 at 11, Court of Bankruptcy, London, div.—*Henry George Rideout*, Nottingham, glove manufacturer, Oct. 24 at 10, District Court of Bankruptcy, Nottingham, div.—*Jas. Ascomb*, Blackburn, Lancashire, and York, draper, Oct. 24 at 12, District Court of Bankruptcy, Manchester, div.—*Nathan Litherland*, Liverpool, merchant, Oct. 24 at 11, District Court of Bankruptcy, Liverpool, div.—*Simon Lee Trotman*, Liverpool, merchant, Oct. 24 at 11, District Court of Bankruptcy, Liverpool, div.—*Frederick Duncan*, Liverpool, merchant, Oct. 27 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Alfred Hinton, Portsmouth, Southampton, stationer, Oct. 27 at 1, Court of Bankruptcy, London.—*George Trolter*, Gloucester, coachmaker, Oct. 27 at 2, Court of Bankruptcy, London.—*William Rous Mabson*, Highfield, Southampton, auctioneer, Oct. 27 at 11, Court of Bankruptcy, London.—*S. Cockerill*, Northampton, draper, Oct. 27 at 12, Court of Bankruptcy, London.—*Richard Budgen*, Llanfyllith, near Newport, Monmouthshire, ironfounder, Oct. 27 at 11, District Court of Bankruptcy, Bristol.—*Henry William Derry*, Wolverhampton, Staffordshire, builder, Nov. 4 at half-past 11, District Court of Bankruptcy, Birmingham.—*Edward Dickinson*, Wolverhampton, Staffordshire, corn merchant, Nov. 4 at half-past 11, District Court of Bankruptcy, Birmingham.—*Benjamin Lindsey*, Market Deeping, Lincolnshire, draper, Oct. 24 at 10, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

John Skam, Studley-road, Clapham-road, Surrey, builder.—*Gunnis Leon Owens*, Enniscorthy, Wexford, Ireland, wool-lender.—*John Northing Bateson*, Haworth-cross, Rochdale, Lancashire, cotton spinner.—*Samuel Soule and John Soule*, Macclesfield and Rainow, Cheshire, ribbon manufacturers.—*Chas. Collins and George Talbot Rose*, Bewdley, and Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturers.—*William Benjamin Richards*, West Bromwich, Staffordshire, grocer.—*Thomas Davis*, Halifax, Yorkshire, commission agent.—*William Kendall and John Standish*, Leeds, Yorkshire, grocers.

SCORED SEQUESTRATIONS.

David Gunn, Wick, Caithness, grocer.—*Wm. Anderson*, Dundee, nurseryman.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Charles Rostall, Birmingham, grocer, Oct. 11 at 10, County Court of Warwickshire, at Birmingham.—*Altha Nicholls*, Birmingham, out of business, Oct. 11 at 10, County

Court of Warwickshire, at Birmingham.—*John Green*, Birmingham, saddler, Oct. 11 at 10, County Court of Warwickshire, at Birmingham.—*John Handley*, Birmingham, heavy steel toy forger, Oct. 11 at 10, County Court of Warwickshire, at Birmingham.—*George Parker Waterhouse*, Birmingham, coal dealer, Oct. 11 at 10, County Court of Warwickshire, at Birmingham.—*Joseph Bullock*, Birmingham, shopkeeper, Oct. 11 at 10, County Court of Warwickshire, at Birmingham.—*Alfred Tyler*, Nottingham, watchmaker, Oct. 20 at 9, County Court of Nottinghamshire, at Nottingham.—*Wm. Challand*, Arnold, Nottinghamshire, carpenter, Oct. 20 at 9, County Court of Nottinghamshire, at Nottingham.—*William Richardson*, Bristol, out of employment, Oct. 15 at 11, County Court of Gloucestershire, at Bristol.—*Evan Roberts*, Bristol, warehouse clerk, Oct. 15 at 11, County Court of Gloucestershire, at Bristol.—*Abraham Kellitt*, Bradford, Yorkshire, labourer, Oct. 25 at 11, County Court of Yorkshire, at Bradford.—*Isaac Jowett*, Bradford, Yorkshire, out of business, Oct. 25 at 11, County Court of Yorkshire, at Bradford.—*James Baker*, Pillgwenly, Monmouthshire, blacksmith, Oct. 21 at 12, County Court of Monmouthshire, at Newport.—*James Dewey*, Brighton, Sussex, cabinet maker, Oct. 10 at 12, County Court of Sussex, at Brighton.—*Wm. Lloyd*, Brighton, Sussex, grocer, Oct. 24 at 12, County Court of Sussex, at Brighton.—*George Milk*, Hingham, Norfolk, grocer, Nov. 24 at 10, County Court of Norfolk, at Wymondham.—*Samuel Thomas Day*, Harston, near Lincoln, Lincolnshire, labourer, Oct. 25 at 10, County Court of Lincolnshire, at Lincoln.—*Edwin Samuel Farmer Parkes*, Halesowen, Worcestershire, maltster, Oct. 20 at 10, County Court of Worcestershire, at Stourbridge.—*Edwin Perrins*, Burford, Shropshire, farmer, Oct. 23 at 2, County Court of Worcestershire, at Tenbury.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Oct. 18 at 12.

James Woodward, Lichfield, grocer.—*Samuel Newall*, Birmingham, out of business.

At the County Court of Devonshire, at EXETER, Oct. 18 at 10.

Sam. Cole, Charleton, farmer's assistant.—*Philip Screech*, Devonport, butcher.

At the County Court of Nottinghamshire, at NOTTINGHAM, Oct. 20 at 9.

Hannah Hoggard, Edwinstowe, blacksmith.

At the County Court of Carmarthenshire, at CARMARTHEN, Oct. 21 at 2.

Morgan Morgan, Rhiwrdorth, Llangathen, labourer.

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The Jurist

No. 770—VOL. XV.

OCTOBER 11, 1851.

PRICE 1s.

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LONDON, OCTOBER 11, 1851.

THE Act for further improving the Administration of Criminal Justice, 14 & 15 Vict. c. 100, will greatly tend to rescue an important branch of our jurisprudence from the reproach to which it has hitherto been deservedly obnoxious. While duly protecting the interests of the prisoner, its provisions are calculated also to uphold the rights of society in its unceasing warfare with crime, and we shall henceforth be spared the disgrace of affording impunity to criminals by means of absurd subtleties unworthy of a civilised age. The work of reform, however, in this respect is by no means complete, nor will it be until the criminal code is more closely adapted to the moral sense of mankind, so that its principles may win ready assent, as well as command unwilling obedience. What, for instance, can be more repugnant to reason and morality than to declare by our laws that if a man steal a whole package intrusted to him he is not guilty of an offence, while if he steal a part of it (break bulk, as it is called) he becomes a felon*? Again, if I part with my *property* in a chattel through the fraud of another, he is not guilty of larceny. "It is a settled and well-established principle, that if the owner part with the *property* in the goods taken, there can be no felony in the taking, however fraudulent the means by which such delivery was procured." (2 Russ. Cr. 24). It would, however, amount to the misdemeanour of obtaining

* "With respect to a conversion of goods by a carrier, a notable distinction should be observed, namely, that though, if a carrier, to whom a package of goods is delivered to take to a certain place, open the package and take out part of the goods, it will be a felonious taking, yet it will be no felony if he take away the whole package." (2 Russ. Cr., by Greaves, 59). Well may Kelynge say, "I marvel at the case put, (13 Edw. 4, 9 b), that if a carrier have a tun of wine delivered to him to carry to such a place, and he never carry it, but sell it all, this is no felony; but if he draw part of it out, above the value of twelvecence, this is felony. I do not see why the disposing of the whole should not be felony also." (Kel. 83).

goods or money by false pretences; but it is otherwise if by the same means I am induced to part with the possession merely. Should that possession, however, be obtained bona fide in the first instance—as if I, reposing confidence in a man who does not at the time intend to abuse it, deliver a chattel to him, and he afterwards appropriates it to his own use, or, in other words, steals it—he is not a criminal in the eyes of the law, though obviously guilty of an aggravated larceny, superadding a breach of trust to his other offence*. These and other serious defects are reserved for the labours of future reformers; but in the meantime we gratefully accept the new statute as a large instalment of the debt so long due to justice. And praise is to be awarded to the framers of this act, for it is clear in its language, and, considering its importance, free from the vice of prolixity.

In analysing its provisions, we may state that its main object is, that criminal cases should be tried on their intrinsic merits; and in furtherance of this object its provisions have been framed so as to prevent indictments from being defeated by merely formal objections, and to facilitate the conviction of offenders according to the proof, although more or less guilt be established against them than may be specified in the indictment. The verdict henceforth will be rather *secundum probata*, than *secundum allegata*, but at the same time due security is afforded against a prisoner being entrapped for want of sufficient information as to his true position. All formal objections may be said to be virtually abolished, as, if they appear on the face of the indictment, they must be taken before the jury are sworn, and then may be amended, (sect. 25); and if a variance appear between statements and proofs, the Court has

* In 2 Russ. Cr. 56, it is stated, as a principle of law, that "if a person obtain the goods of another without fraud, although he have the animus furandi afterwards, and convert them to his own use, he cannot be guilty of felony."

† C. S. Greaves, Esq., Q. C., the learned author of *Russell on Crimes and Misdemeanours*.

power, in almost all instances, to amend, if it shall consider such variance not material to the merits of the case, and that the defendant cannot be prejudiced thereby in his defence on such merits, (sect. 1); and no indictment is to be held insufficient for want of the averment of any matter unnecessary to be proved, (sect. 24).

These provisions will indirectly tend to simplify and abbreviate the form of indictments. But it is also directly enacted, that in charges of murder or manslaughter, the manner in which and the means by which the death of the deceased was caused need not be stated, (sect. 4); that in any indictment where it shall be necessary to make any averment as to any instrument, it shall be sufficient to describe it by the name by which it may be usually known, or by the purport thereof, (sects. 5, 7); that in cases of forgery, uttering, or false pretences, an intent to defraud any particular person need not be alleged or proved, (sect. 8); that coin and bank-notes may be described simply as money, (sect. 18); that in charges of perjury, subornation of perjury, and the like, it shall be sufficient to set forth the substance of the offence charged, (sects. 20, 21); that it shall not be necessary to state any venue in the body of the indictment, unless local description be required, (sect. 23); and that pleas of autrefois convict or acquit will be good, if defendant state only that he has been lawfully convicted or acquitted of the same offence, (sect. 28).

To avoid the escape of a person whose guilt falls short of or exceeds the charge against him, or amounts to an offence of a different complexion, it is enacted, that a party indicted for a felony or misdemeanour may be found guilty of an attempt to commit the same, (sect. 9). The 11th section of the 7 Will. 4 & 1 Vict. c. 85, which gave rise to so much doubt in the *Birds' case*, (2 Den. C. C. 94), is repealed, (sect. 10), so that henceforth a jury cannot acquit of a felony, and find the prisoner guilty of a common assault, although they may, as we have just seen, of the attempt to commit the offence; also, on the trial of an indictment for robbery, the jury may convict of an assault with intent to rob, (sect. 11; and see *Reg. v. Reid*, 2 Den. C. C. 88*). If, upon trial for a misdemeanour, the offence turn out to be a felony, the prisoner is not therefore to be acquitted, but may be convicted of the misdemeanour, unless the Court otherwise direct, for the purpose of having an indictment preferred for the felony, (sect. 12); persons indicted for embezzlement are not to be acquitted if the offence prove to be a larceny, and vice versa, (sect. 13); separate receivers may be convicted under an indictment for a joint receiving, (sect. 14); and several accessaries and receivers may be included in the same indictment, notwithstanding the principal felon shall not be included therein, nor be in custody, nor amenable to justice, (sect. 15).

In order to obviate the difficulties sometimes thrown in the way of the prosecution by the rule as to election of offences, the principle which before prevailed in cases

of embezzlement and offences relating to coin is now extended to larceny; and three larcenies from the same person may be included in the same indictment, provided they were committed within six calendar months, (sect. 16); and where only a single taking is charged, and it shall appear that the property was taken at different times, the prosecutor shall not be required to elect upon which taking he will proceed, unless it shall appear there were more than three takings, or that more than six months elapsed between the first and the last; and if it so appear, he will be confined to three takings within that period, (sect. 17).

Any court, judge, justices at petty or quarter sessions, recorder, &c., may direct a person guilty of perjury, in any evidence before them, to be prosecuted for such offence, (sect. 19); and a certificate, containing the substance only of the trial for a felony or misdemeanour, shall be sufficient evidence of such trial, upon the trial of any indictment for perjury, or subornation thereof, (sect. 22).

The traverse of indictments is abolished; but the Court may, on application, adjourn the trial, (sect. 26). The punishment of hard labour may be added to that of imprisonment in the following cases, (sect. 29):—

Assault occasioning actual bodily harm.

—, indecent.

Attempt to have carnal knowledge of a girl under twelve years of age.

Cheat punishable at common law.

Conspiracy to cheat or defraud.

— to extort money or goods.

— falsely to accuse of any crime.

— to obstruct, prevent, pervert, or defeat the course of public justice.

Escape from lawful custody on a criminal charge.

Fraud punishable at common law.

Indecent and public exposure of the person.

— assault.

— books, prints, pictures, or other indecent exhibition; public selling, or exposing for public sale or to public view of.

Rescue from lawful custody on a criminal charge.

The Act for the better Prevention of Offences, 14 & 15 Vict. c. 19, creates several new offences, chiefly relating to railways and offences committed during the night, for which we must refer our readers to the act itself. It also provides, that upon trial for a subsequent offence the previous conviction shall not be stated to the jury until they shall have found a verdict of guilty of such subsequent offence, (sect. 9); and that any person whatsoever may apprehend any person found committing an indictable offence in the night, (sects. 10, 11).

We content ourselves by merely naming two other important statutes relating to criminal proceedings—the 14 & 15 Vict. c. 11, for the protection of servants and apprentices, and the 14 & 15 Vict. c. 55, for amending the law relating to the expenses of prosecutions.

* And by sect. 5 of the 14 & 15 Vict. c. 19, the Prevention of Offences Act, on the trial of any indictment for feloniously cutting, stabbing, or wounding, the jury may acquit of the felony, and convict of unlawfully cutting, &c.

MEMBER RETURNED TO SERVE IN PARLIAMENT.—The Hon. Arthur Duncombe, for the East Riding of Yorkshire, in the room of Henry Broadley, Esq., deceased.

SOLICITOR'S COSTS WHEN A TRUSTEE.

ALTHOUGH the creator of a trust may expressly authorise a trustee, who is a solicitor, to be paid, or to retain his professional costs, when, of course, he will be entitled to them, (*Robinson v. Pett*, 3 P. Wms. 249; *Wilks v. Kibble*, 1 Beav. 559; *In re Sherwood*, 3 Beav. 338; *Christophers v. White*, 10 Beav. 323), yet, in the absence of any such direction, the Court, which looks upon trusts as honorary, and not as undertaken upon mercenary views, will not, except in very special cases, make a trustee any allowance for his care and trouble, because, on these pretences, if allowed, the trust estate might be loaded, and rendered of little value. (*Robinson v. Pett*, 3 P. Wms. 249; *Brocksopp v. Barnes*, 5 Mod. 90).

A trustee, who is a solicitor, and acts as a solicitor in the trusts—thus occupying the double character of the person employing and the person employed—must, like all other trustees, perform the duties of his office gratuitously, and will not be allowed, without the express authority of the creator of the trust, or in the absence of a special contract in that behalf, to charge for his labour or sums claimed as professional remuneration, but merely for his costs out of pocket. (*New v. Jones*, 9 Bythw. Conv. 731; 1 Man. & G. 668, note; *Moore v. Frowd*, 3 My. & C. 45; *Fraser v. Palmer*, 4 Y. & C. 515; *Burge v. Brutton*, 2 Hare, 373; *Bainbridge v. Blair*, 8 Beav. 588; *Gomley v. Ward*, 3 Jo. & Lat. 678; *Stanes v. Parker*, 9 Beav. 385; *Todd v. Wilson*, Id. 486; *Christophers v. White*, 10 Beav. 523; *In re Wyche*, 11 Beav. 209). For, as Lord Lyndhurst remarked in *New v. Jones*, there might be cases where a trustee, placed in the situation of a solicitor, might, if he were allowed to perform the duties of a solicitor, and to be paid for them, find it very often proper to institute and carry on legal proceedings, which he would not do if he were to derive no emolument from them himself, and if he were to employ another person.

The trustee, being a solicitor, may appoint another to transact the professional business relating to the trust, and the latter will be entitled to his usual professional charges against the trust estate. (*Macnamara v. Jones*, 2 Dick. 587; *Burge v. Brutton*, 3 Hare, 373; *Stanes v. Parker*, 9 Beav. 385). But if the trustee is merely one of the partners in a firm of solicitors, by whom the business relating to the trust estate is transacted, that will not make any difference in the application of the rule, not even if the trust business is managed by one of the partners who is not the trustee; in neither of such cases will the Court allow the trust estate to be charged with any but costs out of pocket. (*Collins v. Carey*, 2 Beav. 128; *Christophers v. White*, 10 Beav. 523).

The rule that allows a trustee, being a solicitor, his costs out of pocket merely, is, however, only applicable to costs incurred by himself, as trustee, in the proper business of the trust; but as he is not precluded from acting as the solicitor of other parties interested in the trust fund, although he is trustee of it, when so acting he cannot any longer be said to be acting in the character of trustee; for it is no part of the business or employment of a trustee to assist other parties in suits relative to the trust property. If, therefore, the trustee acts as solicitor for such other parties, such business or employment is not any business or employment of the trustee, and consequently the usual rule will not apply, and he will be entitled to costs as an ordinary solicitor in respect of parties for whom he appears, unconnected with himself. So, again, if he appears jointly with other parties for whom he has a right to appear, and on whose account he is entitled to full costs, those costs will not be diminished by the cir-

cumstance of his being a party associated with them, unless it can be shewn that they have been increased by the solicitor appearing for himself, independently of other parties. (*Cradock v. Piper*, 1 Mac. & G. 664, per Lord Cottenham). In a very recent case, (*Lincoln v. Windsor*, 15 Jur., part 1, p. 765), Sir George Turner, V.C., decided that the principle of the decision of Lord Cottenham in *Cradock v. Piper* did not apply to the costs incurred by a solicitor, trustee in the administration of a trust estate, without the intervention of the Court. Where a trustee was brought into court in a suit, he could have no opportunity of placing himself in a situation to profit by his trust; therefore, if a trustee were necessarily made a party to a suit, and the costs were not increased by any conduct of his, there appeared to be no reason why he should not be allowed his costs. The reason of the general rule appeared to be inapplicable to the case of a suit under such circumstances; but this did not extend to the case of the costs of administration out of court, and therefore his Honor disallowed the solicitor's claim to such costs.

The general rule, disallowing a trustee, who is a solicitor, any but costs out of pocket, though perfectly well established, will, under special circumstances, admit of exception; for in the administration of trusts, the Court will take care to promote to the utmost extent of its jurisdiction that which appears to be most for the benefit of the trust, and will take into consideration every circumstance tending in any way to promote that object. It will even deviate from its own general rules, if it finds circumstances warranting that deviation, and that it may safely be allowed without breaking down upon the authority of the general rule. (*Bainbridge v. Blair*, 8 Beav. 588, per Lord Langdale). Where the nature and circumstances of the trust estate require so much of the time and attention of the trustee as to prejudice his other pursuits or concerns in business, the Court will allow him a reasonable remuneration or compensation for his labour and loss of time; (*Marshall v. Holloway*, 2 Lev. 432; *Ellison v. Aney*, 1 Ves. sen. 112; *Jackson v. Hamilton*, 2 Jo. & Lat. 702); but it will never allow a trustee, acting as solicitor for himself, to make the usual professional charges against the trust fund. (*Bainbridge v. Blair*, 8 Beav. 588).

The parties may, by contract, agree that a trustee, being a solicitor, shall have some benefit beyond that which the law would have allowed without such contract; but in such a case the agreement must be distinct, and in its terms explain to the client the effect of the arrangement, and the more particularly when the solicitor for the client, becoming himself a trustee, has an interest, personal to himself, adverse to the client. (*Moore v. Frowd*, 3 My. & C. 45; *Ayliffe v. Murray*, 2 Atk. 58; *In re Sherwood*, 3 Beav. 338; *In re Wyche*, 11 Beav. 209).

In *Moore v. Frowd* there were two parts of the deed, both, or one at least, of which, it was contended, authorised the trustees, being solicitors, to claim their professional charges against the trust estate. The first provided, that all costs, charges, and expenses of the deed, and all expenses, disbursements, and charges already or thereafter to be incurred, sustained, or borne by the trustees, either in professional business, journeys, or otherwise, for the purpose of performing the trusts before mentioned, and all other expenses of carrying the trusts into execution, should be paid, in the first place, out of the produce of the intended sales. "And the costs in question," said Lord Cottenham, "being the ordinary remunerations of a solicitor, as distinguished from costs out of pocket, cannot be considered as charges and expenses incurred, sustained, or borne by the trustees. Such expressions, in terms, apply to payments made or liabilities incurred. The

next provision is more specific; it provides that each trustee is to be at liberty to retain and reimburse himself all such reasonable costs, charges, and expenses as he may sustain or be put to, such costs, charges, and expenses to be reckoned, stated, and paid as between attorney and client. But this provision does no more than the rule of law would have done, a trustee's costs being taxed as between an attorney and client. And what are the costs so to be taxed? Costs which the trustees may sustain or be put unto—terms wholly inapplicable to sums claimed as remuneration. There is nothing in either of these provisions which is peculiarly applicable to the case of the solicitor being also trustee; it cannot, therefore, be assumed that the intention was to provide for some other mode of dealing with that union of characters than what the law would have enforced, and still less that under such provisions a solicitor, dealing with his client, can be permitted to claim that which, without at least a specific contract with the client, and proof that the client was fully cognisant of her legal rights, independently of such contract and of the effect and legal consequences of the act upon such legal rights, he would not be entitled to claim." And his Lordship, therefore, held that the trustees were only entitled to costs out of pocket, and not to any professional remuneration.

In *Re Sherwood* (3 Beav. 338) the trust deed provided that the trustee, who was a solicitor, should retain and receive his usual professional costs and charges, which might arise or be incurred in carrying into execution the trusts of the deed, or in prosecuting or defending any suit or suits, or otherwise, that might happen, as if he had not been the trustee thereof, but had been employed and retained by the parties to the deed as their attorney or solicitor in the matter of the trusts thereby created. This deed was settled by counsel on behalf of a party to it, whose personal representative, after his death, contended that the trustee was not entitled to make any professional charges against the trust estate; but Lord Langdale held that he was so entitled.

The Court will relieve a cestui que trust from payments made to a trustee, who is a solicitor, on account of professional charges, to which the latter is not entitled, even after a settlement of accounts has been made and a general release executed, if the cestui que trust paid the bill and executed the release without knowing that the bill contained items which by law were not chargeable, and without independent professional assistance and advice. (*Todd v. Wilson*, 9 Beav. 486). But the Court will not disturb a release given to the solicitor by the cestui que trust, if the latter had the assistance and advice of an independent solicitor, whose duty it was to know the general rule, and to have apprised his client of it, so that the latter might have availed himself of it, or knowingly waived its benefit. (*Stanes v. Parker*, 9 Beav. 385). Much less will the Court interfere on behalf of a cestui que trust, who, having both personal knowledge of the rule, and independent professional advice, settles the trustee's account, containing items for professional remuneration. (In *Re Wyche*, 11 Beav. 209). T. H. F.

The Queen has been pleased to direct letters-patent to be passed under the Great Seal of the United Kingdom, appointing the Right Hon. Sir James Lewis Knight Bruce and the Right Hon. Robert Monsey, Lord Cranworth, to be Judges of the Court of Appeal in Chancery.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Sydney John Mitchell, Gent., of Birmingham, to be a Master Extraordinary in the High Court of Chancery.

London Gazettes.

TUESDAY, OCTOBER 7.

BANKRUPTS.

JACOB MEANE and ROBERT MEANE, Brighton, Sussex, brewers and coal merchants, dealers and chapmen, Oct. 17 and Nov. 13 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 1, Charlotte-row, Mansion-house, London.—Petition filed Sept. 25.

WILLIAM HOUSMAN, Brighton, Sussex, money scrivener, dealer and chapman, Oct. 21 and Nov. 13 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Evered, and Kennett, Brighton; Sowton, 6, Great James-street, Bedford-row, London.—Petition filed Sept. 18.

WILLIAM HARTRIDGE, Milton-next-Sittingbourne, Kent, draper and miller, dealer and chapman, Oct. 13 at 2, and Nov. 20 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Jones, Sise-lane.—Petition filed Oct. 2.

WILLIAM STARR WHATFORD, Brighton, Sussex, dentist and dealer in artificial teeth, dealer and chapman, Oct. 17 at 1, and Nov. 21 at 11, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Kennett, Brighton; Sowton, 6, Great James-street, Bedford-row, London.—Petition dated Oct. 4.

THOMAS BRAY, Hasleley, Warwickshire, miller, dealer and chapman, Oct. 21 and Nov. 12 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Bridges, Birmingham.—Petition dated Oct. 3.

WILLIAM COX, Smethwick, Staffordshire, iron manufacturer, dealer and chapman, Oct. 18 and Nov. 12 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. James, Birmingham.—Petition dated Oct. 2.

JOHN ALLAN, Carmarthen, tea dealer and draper, Oct. 22 and Nov. 19 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed Oct. 6.

JOHN WHITEHEAD and RICHARD COTTAM, Blackburn, Lancashire, machine makers, iron and brass founders, dealers and chapmen, (carrying on business at the Soho Foundry, Blackburn, under the firm of Whitehead & Cottam), Oct. 17 and Nov. 7 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Makinson, Manchester.—Petition filed Sept. 29.

MEETINGS.

Timothy Ross, Manchester, furniture dealer, Oct. 17 at 12, District Court of Bankruptcy, Manchester, last ex.—*Elis. Thompson*, Reading, Berkshire, brushmaker, Oct. 21 at 12, Court of Bankruptcy, London, aud. ac.—*Benjamin Baylis*, Gloucester, woolstapler, Oct. 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*W. Grille*, Launceston, Cornwall, rope manufacturer, Oct. 22 at 1, District Court of Bankruptcy, Exeter, aud. ac.—*Thos. E. Williams*, Exeter, wine merchant, Oct. 22 at 1, District Court of Bankruptcy, Exeter, aud. ac.; Oct. 29 at 1, div.—*John M'Gibbon* and *Archibald Galbreath*, Kingston-upon-Hull, merchants, Oct. 22 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.; Oct. 29 at half-past 12, div.—*James Ascomb*, (and not *Ascomb*, as advertised in last Friday's Gazette), Blackburn, Lancashire, and York, draper, Oct. 24 at 12, District Court of Bankruptcy, Manchester, div.—*Robert Miles*, Pontypridd, Glamorganshire, grocer, Nov. 3 at 11, District Court of Bankruptcy, Bristol, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Joseph M' Murray, Liverpool, merchant, Oct. 30 at 11, District Court of Bankruptcy, Liverpool.—*Henry Hunt*, Kingston-upon-Hull, merchant, Nov. 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*Thomas E. Williams*, Exeter, wine merchant, Nov. 4 at 1, District Court of Bankruptcy, Exeter.

To be granted, unless an Appeal be duly entered.

James M. Canadale, Norwich, draper.—*Robert Alexander*, Maesteg, Glamorganshire, grocer.—*Wm. S. Meryweather*, West Ham, Essex, brickmaker.—*J. Hill*, Holcombe Rogus, Devonshire, linendraper.—*Jonathan Chew*, Manchester, stuff

manufacturer.—*David Henry Beresford*, Stockport, Cheshire, linendraper.—*Thomas Edwards*, Liverpool, basket manufacturer.

SCOTCH SEQUESTRATIONS.

Mrs. Margaret Fraser, Inverness, lodging-house keeper.—*John Faulds*, Greenlaw Colliery, near Edinburgh, coalmaster.—*John McFarlane*, Glasgow, horse dealer.—*James Gilbert*, Cowgate, Edinburgh, spirit dealer.—*Donald Nicolson*, Bayberivay, Island of Barra, doctor of medicine.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Morgan Hopkin, Penline, Glamorganshire, blacksmith, Oct. 20 at 10, County Court of Glamorganshire, at Bridgend.—*Samuel Watkin*, Halifax, Yorkshire, manufacturer of worsted pieces, Oct. 17 at 10, County Court of Yorkshire, at Halifax.—*John Crapper*, Halifax, Yorkshire, rope manufacturer, Oct. 17 at 10, County Court of Yorkshire, at Halifax.—*James B. Smith*, Colchester, Essex, baker, Oct. 23 at 12, County Court of Essex, at Colchester.—*John Lear*, Bristol, grocer, Nov. 12 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Hibbs*, Warmley, Siston, Gloucestershire, tiler, Nov. 12 at 11, County Court of Gloucestershire, at Bristol.—*Geo. Way*, Bristol, painter, Oct. 15 at 11, County Court of Gloucestershire, at Bristol.—*Ebenezer Perry*, Bristol, beer-shop keeper, Oct. 15 at 11, County Court of Gloucestershire, at Bristol.—*Henry Bradridge*, Shute, Ugborough, Devonshire, farmer, Nov. 20 at 11, County Court of Devonshire, at East Stonehouse.—*John Joseph Craggs*, Foxbush House, Hildenborough, near Tonbridge, Kent, schoolmaster, Oct. 24 at 10, County Court of Kent, at Tonbridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 14 at 11, before the CHIEF COMMISSIONER.

George Kearley Brooks, President-st. East, King-square, St. Luke's, Middlesex, timekeeper to a gas meter manufacturer.—*John Knowles Ridley*, High-street, Hoxton Old-town, St. Leonard, Shoreditch, Middlesex, draper.—*Thomas Beadman*, Great Guildford-street, Southwark, Surrey, out of business.—*John Pocknell*, Seymour-st., Euston-square, St. Pancras, Middlesex, silversmith.—*John Jacob Jacobs*, Middlesex-street, St. Botolph, Aldgate, London, fishmonger and general dealer in furniture.

Nov. 14 at 10, before Mr. Commissioner LAW.

Henry Bloodworth, High-st., St. Mary, Lambeth, Surrey, potter.—*Wm. Baldwin* the younger, Queen's-terrace-mews, St. John's-wood, Middlesex, smith.—*James Parris*, Southampton-street, Camberwell, Surrey, tailor.—*Henry Evans*, Exmouth-st., Clerkenwell, Middlesex, butcher.—*John Clark*, Garden-row, London-road, Surrey, out of business.—*John Edward Creevy*, Kingsland-road, Middlesex, accountant's clerk.

Nov. 15 at 11, before Mr. Commissioner PHILLIPS.

James Edward Harris, Upper North-place, Gray's-inn-road, Middlesex, tailor.—*Coleman Jacobs*, Hill-st., Walworth, Surrey, teacher of music.—*Williamina Van Mossall*, widow, Crown-street, Finsbury, Middlesex, out of business.—*David Spooner*, Woolwich, Kent, chandler's-shop keeper.—*John William Pearce*, Oxford-st., Middlesex, salesman to a glass and china dealer.

Nov. 17 at 10, before Mr. Commissioner LAW.

Charles Hunt, Little Alie-street, Goodman's-fields, Middlesex, beer-shop keeper.—*Thomas Pitman*, Charlotte-street, Portland-place, St. Marylebone, Middlesex, attorney-at-law.—*James English* the younger, Wellington-place, Stepney, Middlesex, retailer of beer.—*Edward Barnes*, Caroline-place, Copenhagen-st., St. Mary, Islington, Middlesex, builder.—*Thomas Dansie*, Pallen's-row, Islington-green, Middlesex, out of business.—*John Giltman*, George's-place, Holloway-road, Islington, Middlesex, shoemaker.

Nov. 17 at 11, before Mr. Commissioner PHILLIPS.

Wm. Alston, High-street, Peckham, Camberwell, Surrey, pork butcher.—*Edwin Beavis*, Great Prescott-street, Goodman's-fields, Middlesex, cheesemonger.—*Henry Bick*, Harrison-st., Gray's-inn-road, St. Pancras, Middlesex, carpenter.—*William White Baverstock*, Mansfield-st., Borough-road, Southwark, Surrey, agent for the purchase and sale of general goods.—*Henry Moore*, Church-st., Kensington, Middlesex, grocer.—*Wm. Brown Tribe*, Merron-st., Walworth-road, Surrey, clerk in the tea department of the London Dock, Upper East Smithfield.—*Obadiah Springfellow*, Theobald's-road, Red Lion-square, Middlesex, tailor.

Saturday, Oct. 4.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Frederick Teesdale, Jockey's-fields, Gray's-inn, Middlesex, cattle dealer, No. 62,434 T.; *Wm. Farmery Law*, assignee.—*Frederick Reeves Barratt*, West Deeping, Lincolnshire, teacher of music, No. 73,940 C.; *Robert Palmer*, assignee.—*Wm. Sharman*, Coates, Whittlesey, Isle of Ely, Cambridgeshire, farmer, No. 73,710 C.; *John Munton*, assignee.—*Wm. Francis Macminn*, Llanwchllyn, Merionethshire, provision merchant, No. 74,018 C.; *George Anton*, assignee.—*James Vile*, Milford, near Lymington, Southampton, butcher, No. 74,100 C.; *George Saunders*, assignee.

Saturday, Oct. 4.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George Henderson, Old Bailey, London, stationer: in the Debtors Prison for London and Middlesex.—*John Kennett*, Jewin-street, Cripplegate, London, clerk to a general carrier: in the Debtors Prison for London and Middlesex.—*Richard Thomas Hatfield*, High-street, Battersea, Surrey, plumber: in the Queen's Prison.—*Leonard Collins*, High-street, Hoxton, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Thomas Mumford*, Somerset-street, Manchester-square, Middlesex, plumber: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Richard Abbey the elder, Slough, Bucks, beer-shop keeper: in the Queen's Prison.

(On their own Petitions).

Morgan Morgan, Rhindorth, Llangathen, Carmarthenshire, labourer: in the Gaol of Carmarthen.—*Chas. Glover*, Greet's-green, West Bromwich, Staffordshire, assistant to a grocer: in the Gaol of Stafford.—*Joseph Sharrod*, Liverpool, oil manufacturer: in the Gaol of Lancaster.—*John Wheatcraft*, Matlock, Bath, Derbyshire, surveyor: in the Gaol of Derby.—*Daniel Edwin Austin*, Dover, Kent: in the Gaol of Dover.—*Samuel Colclough*, Winnow-dale, Croxton, Staffordshire, corn dealer: in the Gaol of Stafford.—*William Milbourn*, Leamington Priors, Warwickshire, tailor: in the Gaol of Warwick.—*Edward Thomas*, Britonferry, Glamorganshire, butcher: in the Gaol of Cardiff.—*John Lancaster*, Gomersal, near Leeds, Yorkshire, labourer: in the Gaol of York.—*William Ashton*, Hulme, Manchester, porter: in the Gaol of Lancaster.—*Robert Plews*, Hyde, Cheshire, ironworker: in the Gaol of Chester.—*Ann Hebron*, Kirbymoorside, Yorkshire, milliner: in the Gaol of York.—*John Baker*, Harwich, Essex, mariner: in the Gaol of Springfield.—*Samuel Brooks*, Little-town, Leeds, Yorkshire, blanket manufacturer: in the Gaol of York.—*Henry Williams Weston*, Dover, Kent, accountant: in the Gaol of Dover.—*John Robinson*, Clitheroe, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Edward Muff*, Dudley-hill, Bradford, Yorkshire, manufacturing chemist: in the Gaol of York.—*William Leeds*, Hulme, Manchester, plumber: in the Gaol of Lancaster.—*Joshua Butterworth*, Ashton-under-Lyne, Lancashire, innkeeper: in the Gaol of Lancaster.—*Charles Walker Daniels*, Hulme, Manchester, retail dealer in ale: in the Gaol of Lancaster.—*Francis James Ferns*, Liverpool, wine merchant: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, Oct. 21 at 10.

Charles Glover, West Bromwich, assistant to a grocer.

At the County Court of Warwickshire, at WARWICK, Oct. 22 at 10.

William Milbourn, Leamington Priors, tailor.

At the County Court of Kent, at DOVER, Oct. 22 at 10.

Daniel Edwin Austin, Dover, out of business.—Henry Williams Weston, Dover, accountant.

At the County Court of Derbyshire, at DERBY, Oct. 25 at 11.

Hugh Atherstone, Derby, veterinary surgeon.

At the County Court of Gloucestershire, at GLOUCESTER, Oct. 30 at 10.

Robert James the younger, Badbrook Strand, butcher.

FRIDAY, OCTOBER 10.

BANKRUPTS.

WILLIAM WADSWORTH BRAGGER and **RICHARD BRAGGER** the younger, Camberwell-green, Surrey, and Lawrence-lane, London, dealers in hosiery and fancy articles, dealers and chapmen, Oct. 20 at 11, and Nov. 20 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Goddard, King-street, Cheap-side.—Petition filed Oct. 1.

FRANCIS DAWSON, Great Yarmouth, Norfolk, draper, dealer and chapman, Oct. 18 at 12, and Nov. 20 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Catlin, 39, Ely-place, Holborn.—Petition filed Sept. 27.

HUGH M'COLL, South Shields, Durham, bookseller, Oct. 17 and Nov. 25 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Leitch & Kewney, North Shields; Maples & Co., Frederick's-place, Old Jewry, London.—Petition filed Oct. 8.

MEETINGS.

Wm. Henry Barrett, Gloucester, miller, Oct. 24 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Nov. 3 at 11, div.—*Robert Hazard* and *Frederick Robert Hazard*, Bristol, victuallers, Nov. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Robert Craig*, Brynmawr, Breconshire, draper, Nov. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Robert Alexander*, Maesteg, Glamorganshire, grocer, Nov. 7 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*John Gracie*, Bristol, and Dudley, Worcestershire, woollendrapers, Nov. 6 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Glasier*, Bristol, grocer, Oct. 23 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Robert Johnson*, Liverpool, merchant, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 31 at 11, div.—*Simon Lee Trotman*, Liverpool, merchant, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Edward Wickham Dickenson*, *Joseph Dickenson*, and *James R. Hodgson*, Liverpool, merchants, Oct. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 31 at 11, div.—*John Ritchie* and *Thomas Moffatt*, Liverpool, merchants, Oct. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *Thomas Moffatt*; Oct. 31 at 11, div.—*George Lupton*, St. Helen's, Lancashire, tailor, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Hardman* and *Peter Wright*, Liverpool, merchants, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *Richard Hardman*; Oct. 31 at 11, div.—*William Lawton*, Liverpool, auctioneer, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Robt. Davies Evans* and *D. M. Evans*, Wrexham, Denbighshire, drapers, Oct. 22 at 12, District Court of Bankruptcy, Liverpool, aud. ac.; Oct. 31 at 12, div.—*Robert Taylor*, Liverpool, ironmonger, Oct. 23 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Betty Crankshaw* and *J. Crankshaw*, Higher Booths, Whalley, Lancashire, cotton spinners, Oct. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*J. Cobb*, Preston, Lancashire, innkeeper, Oct. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*T. G. Tidy*, Rugby, Warwickshire, bookseller, Oct. 28 at half-past 11, District

Court of Bankruptcy, Birmingham, aud. ac.—*Thomas Webb*, Stourbridge, Worcestershire, clothier, Dec. 2 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 9 at half-past 11, div.—*Edward Dickinson*, Wolverhampton, Staffordshire, corn merchant, Oct. 28 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 4 at half-past 11, div.—*Edward Brewster* and *Edward West*, Handcourt, Dowgate, London, printers, Nov. 4 at 2, Court of Bankruptcy, London, div. sep. est. of *E. West*.—*A. Crossfield*, Ty Mawr, Lanworne, Glamorganshire, coal miner, and Newport, Monmouthshire, common brewer, Nov. 5 at 11, District Court of Bankruptcy, Bristol, div.—*Thos. Bointon*, Pickering, Yorkshire, money scrivener, Nov. 3 at 11, District Court of Bankruptcy, Leeds, fin. div.—*James Meek* and *Geo. Gill*, Liverpool, merchants, Oct. 31 at 11, District Court of Bankruptcy, Liverpool, div.—*Peter Fielding*, Rhyl, Flintshire, hotel keeper, Oct. 31 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Atley, Hanwell, Middlesex, market gardener, Nov. 3 at half-past 11, Court of Bankruptcy, London.—*S. Dixon*, Leeds, Yorkshire, draper, Nov. 3 at half-past 12, Court of Bankruptcy, London.—*J. F. Freahe*, Hampstead-st., Fitzroy-square, Middlesex, licensed victualler, Nov. 3 at 12, Court of Bankruptcy, London.—*James Ballingall*, Edward-street, Portman-square, Middlesex, pianoforte maker, Nov. 3 at half-past 12, Court of Bankruptcy, London.—*Charles Moody*, Goswell-road, Clerkenwell, Middlesex, pork butcher, Nov. 3 at 1, Court of Bankruptcy, London.—*David Phillips*, Cardiff, Glamorganshire, linendraper, Nov. 5 at 11, District Court of Bankruptcy, Bristol.—*A. Krauss*, Manchester, sharebroker, Nov. 3 at 12, District Court of Bankruptcy, Manchester.—*Wm. Hodgson*, Lancaster, watchmaker, Nov. 4 at 1, District Court of Bankruptcy, Manchester.—*Robert Thorpe*, Stafford, last manufacturer, Nov. 10 at half-past 11, District Court of Bankruptcy, Birmingham.—*Wm. Henzey Bond*, Brierly-hill, Staffordshire, wine merchant, Nov. 1 at half-past 10, District Court of Bankruptcy, Birmingham.—*John Dickenson*, Walsall, Staffordshire, merchant, Nov. 1 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Robert Hazard and *Frederick Robert Hazard*, Bristol, victuallers.

SCOTCH SEQUESTRATIONS.

Alexander Dunn & Co., Inverness, drapers.—*Thomas H. Slater* and *Patrick Robertson*, Glasgow, merchants.—*Patrick Robinson & Co.*, Glasgow, merchants.—*Margaret Cameron*, Glasgow, shirt manufacturer.—*Henry L. Wilson*, Glasgow, manufacturer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy and have obtained an Interim Order for Protection from Process.

James Ponter the elder, Weston, Somersetshire, butcher, Oct. 18 at 11, County Court of Somersetshire, at Bath.—*John M. Gibbs*, Bath, tailor, Oct. 25 at 11, County Court of Somersetshire, at Bath.—*Thomas Wilson*, Stafford, shoe manufacturer, Oct. 21 at 10, County Court of Staffordshire, at Stafford.—*James Duffield*, Throstle Nest, near Bedale, Yorkshire, plumber, Oct. 18 at half-past 10, County Court of Yorkshire, at Northallerton.—*James Nelson*, Easingwold, Yorkshire, assistant to a baker, Oct. 13 at half-past 10, County Court of Yorkshire, at Easingwold.—*W. Gardner*, Gateshead, Durham, contractor, Nov. 3 at 10, County Court of Durham, at Gateshead.—*W. Caisley*, Gosforth, Northumberland, publican, Oct. 30 at 10, County Court of Northumberland, at Newcastle.—*T. Stuart*, Newcastle-upon-Tyne, plasterer, Oct. 30 at 10, County Court of Northumberland, at Newcastle.—*Joseph Entwistle*, Huddersfield, Yorkshire, joiner, Oct. 31 at 10, County Court of Yorkshire, at Huddersfield.—*Michael Corbett Rawlings*, Chipping Campden, Gloucestershire, farrier, Oct. 30 at 10, County Court of Worcestershire, at Shipston.—*Joseph Parker*, Tipton, Staffordshire, out of business, Oct. 24 at 12, County Court of Worcestershire, at Dudley.—*Enoch Vaughan*, Tipton, Staf-

fordshire, miner, Oct. 24 at 12, County Court of Worcester-shire, at Dudley.—*John Eastwood*, Tongend, near Whitworth, Lancashire, stonegetter, Oct. 23 at 12, County Court of Lancashire, at Rochdale.—*John Sowerby*, Carlisle, Cumberland, butcher, Oct. 28 at 9, County Court of Cumberland, at Carlisle.—*Charles Burdock*, Tunbridge Wells, Tunbridge, Kent, pork butcher, Oct. 23 at 10, County Court of Kent, at Tunbridge Wells.—*John Latter Woodhams*, Tunbridge Wells, Tunbridge, Kent, baker, Oct. 23 at 10, County Court of Kent, at Tunbridge Wells.—*Henry M'Sheen*, Portsmouth, retailer of beer, Oct. 29 at 11, County Court of Hampshire, at Portsmouth.—*Sarah Ann Page*, widow, Aspsall, Suffolk, farmer, Oct. 21 at 11, County Court of Suffolk, at Eye.—*Wm. Fent*, Mendlesham, Suffolk, dissenting minister, Oct. 24 at 10, County Court of Suffolk, at Stowmarket.—*Charles Branch*, Ixworth, Suffolk, watchmaker, Oct. 20 at 10, County Court of Suffolk, at Bury St. Edmund's.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

William Blackow, Salford, out of business, No. 74,147; *James Wilson*, assignee.—*James Bamforth*, Ashton-under-Lyne, out of business, No. 74,105; *John Rothwell*, assignee.—*James Bahmer*, Liverpool, chemist, No. 74,029; *Edwin Stanley Rogers*, assignee.—*John Hadfield*, Manchester, grocer, No. 74,135; *James Armstrong*, assignee.—*Alexander M'Enn*, Moss-side, near Rochdale, civil engineer, No. 74,167; *Robert Stott*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Oct. 24 at 11.

John Waddington, Habergham Eaves, near Burnley, blacksmith.—*Job Shotton*, Heaton Norris, assistant to a pawnbroker.—*John Robinson*, Clitheroe, licensed victualler.—*William Leeds*, Hulme, Manchester, plumber.—*Wm. Dix*, Hallgate, Wigan, chainmaker.—*James Cooper*, Liverpool, butcher.—*John Smith*, Bank-top, Blackburn, stonemason.—*Benjamin Hartley*, Lancaster, licensed victualler.—*John Hallam*, Long Millgate, Manchester, baker.—*James Nuttall*, Bury, beerseller.—*Francis James Ferns*, Liverpool, wine merchant.—*Joshua Butterworth*, Ashton-under-Lyne, out of business.—*Thomas Gibson*, Hawcote, near Dalton-in-Furness, out of business.—*John Makin*, Hulme, Manchester, provision dealer.—*William Henry Leigh*, Blackburn, in no profession.

Oct. 25, at the same hour and place.

Alexander Pinder, Salford, Burnley, blacksmith.

At the County Court of Yorkshire, at YORK CASTLE, Oct. 27 at 10.

John Lancaster, Gomersal, labourer.—*Joseph Bairatow*, Bradford, bobbin turner.—*James Barker*, Bradford, stonemason.—*William Henry Hellawell*, Aspley-mills, Huddersfield, out of business.—*Ann Hebron*, Kirbymoorside, milliner.—*James Dawson*, Huddersfield, out of business.—*Nicholson Marshall Robinson*, Bramley, near Leeds, joiner.—*Edward Muff*, Dudley-hill, near Bradford, out of business.—*Daniel Burton*, Bradford, bookbinder.—*Samuel Brooks*, Little-town, near Leeds, blanket manufacturer.—*John Greer*, Hull, dealer in glass.—*John Hyde*, Sheffield, commission agent.—*William Edward Waddington*, Barnsley, out of business.

At the County Court of Cumberland, at CARLISLE, Oct. 28 at 9.

Joseph Atkinson, Rockliffe, out of business.

At the County Court of Northumberland, at NEWCASTLE, Oct. 30 at 10.

Thomas Copland, Newcastle-upon-Tyne, commercial traveller.

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Richard Richards, Esq., M.P., Master in Chancery.

Insurances expiring at Michaelmas should be renewed within fifteen days thereafter, at the Offices of the Society, or with any of its Agents throughout the country.

E. BLAKE BEAL, Secretary.

* * * Orders for THE JURIST given to any Newsmen, or letter/post-paid sent to the Office, No. 3, CHANCERY-LANE, or to STEVENS & NORTON, 26 and 39, BELL-YARD, LINCOLN'S INN, will insure its punctual delivery in London, or its being forwarded on the evening of publication, through the medium of the Post Office, to the Country.

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The Jurist

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OCTOBER 18, 1851.

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LONDON, OCTOBER 18, 1851.

WE do not in this journal, as a practice, comment upon the political principles or personal demeanour of judges, not considering such a practice as generally fitting or decorous. But there are occasions when the political principles of a judge so far affect, or are supposed to affect, his aptitude for serving the country in his jurisprudential character, that it becomes fitting to allude to them; and this may be the more properly done by us when our duty is the pleasant one of dispelling misapprehension, and repelling harsh and unfair attacks upon a judge. Our readers will, of course, at once see that we are referring to the harsh and unfounded censure cast by the leading daily journal upon the learned judge recently appointed one of the Lords Justices of Appeal in the Court of Chancery, with reference to his supposed hostility to law reform. The argument of the writer, in the article to which we refer, seems to be, that because Vice-Chancellor Knight Bruce has adopted, and while a senator publicly supported, anti-reform principles in matters strictly within the sphere of politics, therefore he is as a judge, and will be as a peer, an enemy to law reform; and to support his argument the writer refers to the sarcasms not unfrequently cast by the learned judge upon certain modern acts of Parliament, assuming that the test of a disposition for or against law reform, is the indiscriminate approbation or dislike of every act of Parliament making a change in the law.

Our business now is, however, not with Vice-Chancellor Knight Bruce's pristine love of the boroughs in Schedule (A.), nor with the question whether he is so perfect as never to utter an uncalled-for sarcasm, but whether he has not, substantially and practically, assisted, in his place, and according to his powers as a judge, in reforming the law; and we do most unhesitatingly assert that there has not been on the Equity Bench, in our recollection, any judge who has done so much in aiding the working of law reform.

It is always a pretty and popular pastime to suggest reforms of the law; it is also frequently a useful thing

to put such suggestions into the form of a parliamentary bill; to force it through Parliament, and turn it out in the form of an act; and sometimes the task is so well performed that the reform takes, unaided, its own place, and works in business as well as it looks on paper. Such was the case with the celebrated batch of Real Property Acts of 1833—acts which have needed scarcely any aid from the Bench to make them every-day working rules of law. But sometimes, though the will to effect working reforms is abundant, the capacity is not so, and acts of Parliament or General Orders, having an honest reforming intention, come out in so loose a condition, that, if unaided by the judges, they cannot work well, and, if opposed, must inevitably sink into oblivion. The test of friendliness to law reform on the Bench is, then, not the degree of verbal approbation with which a judge accepts a clear and definite rule of conduct, prescribed by a thoroughly well-drawn act or set of orders, which, whatever may be his personal dislike to them, he cannot, by any astuteness of construction, nullify—but the degree of readiness with which he accepts mere germs of reform, and endeavours to mould them into practical rules, and the degree of zeal and energy with which he wields the existing rules and practice of his court, so as to make them, as far as he judicially can, instruments of justice, and to check all use of them for purposes of chicanery and procrastination.

If to act thus be to be a law-reforming judge, then we say the learned Vice-Chancellor is, and always has been, one. To prove it by particulars. One great vice of Chancery pleading was its prolixity. We assert, that no judge living has done so much to reform that vice as Vice-Chancellor Knight Bruce; not by any formal orders, it is true; not by suggesting legislative remedies, it is true; but by steadily using all his judicial power to discountenance prolixity, and by manifesting his approbation of terse and definite pleading. We assert, without fear of contradiction, that he has largely contributed to produce in the Bar a habit of comparative brevity in pleading. That such an improvement in pleading has, in fact, taken place, any one may convince himself who

will look over the bills and answers of equity draftsmen of the last ten years, and compare them with those of the preceding twenty.

Again: to remedy many real and some supposed evils of the old forms of procedure, the Orders commonly called the Claim Orders were brought out. During their first year of existence, the burthen of their administration fell almost entirely upon Vice-Chancellor Knight Bruce. For it will be in the recollection of our readers, that at that period Sir J. Wigram was in retirement from ill health; that Sir L. Shadwell died very shortly after the Orders came into actual operation; and that the Rolls Court was then so unpopular that scarcely any new business was taken to it. An excellent opportunity it would have been for a really anti-reforming judge to have sheltered himself behind the screen of judicial caution, and to have refused to act upon these Orders when they admitted of any doubt. But the Vice-Chancellor took the very opposite course; he opened the law upon doubts, instead of opening doubts upon the law; and had other branches of the Court taken as liberal a view of the New Orders as he did, possibly they might have been by this time moulded, by successive decisions, into practically working rules. That they have not become so, is partly the result of their own almost unmanageable vagueness. But all that man could do to accept them, to read them as intelligible, and to work them, was done by this anti-reforming judge.

As our defence of the learned Vice-Chancellor has been somewhat earnest, it will of course be presumed, by those who differ from us, to arise from personal friendship, or personal predilection, or from similarity of political feelings. To these we shall merely say, that our political feelings are the exact opposite of those which are attributed to his Honor; that we are not great enough to enjoy his friendship; and that we have, indeed, never spoken to him except at the bar of his court; lastly, that we have had at least our share of those occasional bursts of indignation, and of that grave and subtle persiflage, in which his Honor sometimes indulges. So that our personal predilection, if any, does not go further than that which a man of business has for a judge from whom he knows he will receive attention and judicial confidence, if he will do his business in a careful and straightforward manner; and aid, instead of opposition, in disentangling his cases from the difficulties of mere technicality.

LORD BROUGHAM, it is said, intends to bring before Parliament, in the next session, a plan for a sort of Law University, by combining all the Inns of Court into one body, and constituting the united corps a University of Law, with its professors, and all other necessary appendages for a general and superior school of law. With the principle of such a scheme we have a most thorough and hearty sympathy. We have always been of those who think that the "laissez aller" style of our existing mode of training young lawyers is anything but advantageous. For the Bar, at least, there is no settled course of education. A young man, having or not having been at college, and having at college or elsewhere pursued the general studies that may fit him

to commence his technical studies for any profession, determines to go to the Bar; for which purpose he enters his name as a member of the Inn that he selects to honour with his presence; attends during three years a given number of dinners, and he is then qualified to be *called* to the Bar. Of course, this, though the only training theoretically required, is not the only real training. But of what does the real training consist? Is there any given set of books in the law that is publicly known as recommended by the judges or the benchers of any Inn of Court? No, there is none such. Are there any authorised tutors to whom the student may apply, and from whom he may learn what books he ought to read, or under whom he may place himself with the certainty that he will be so guided in his studies as to come out of his apprenticeship to the law, an apt and fit scholar to be dubbed barrister? Again, there is no such set of persons. All that the student can do is to ascertain from some friend, as he best may, what are the books that he ought to read at first, and, when he has read them, to place himself as a pupil in the chambers of some practising pleader or barrister, and then, with or without guidance, according to the extent of business and capacity for giving instruction of his tutor, to acquire the knowledge on which he is to found his right to advise and plead as counsel learned in the law. Until lately there were no public lectures delivered under the auspices of any of the Inns of Court. Even now there are none that are systematically sustained, except those at Gray's Inn, on the Law of Real Property and Conveyancing. To the establishment and maintenance of any such lectures there have been made many objections, some of which were, in a past state of society, well founded; but we apprehend, in the existing state of society—that is, with reference to the classes from which the Bar is recruited, and the functions for which the Bar is destined—such objections altogether fail. Some of the objections, viz. those which have been taken on the ground that systematic, and particularly oral, instructions are not in themselves useful or necessary for the teaching of the law, have never been deserving of consideration, being founded rather on a desire to find good reasons for an existing state of laxity, than on either sound theory or practical experience; for though the Bar of England has flourished and distinguished itself, in despite of its want of early systematic training, yet it has done so literally in despite of, and not in consequence of, the mode of its education; and its great and most noticeable defect has always been its want, as a body, of scientific knowledge of the law—a want most particularly evidenced by the state of what are called treatises on the law, among which few, indeed, are the works rising much above mere legal dictionaries.

On the use of systematic instruction and public teaching some valuable observations are made by a late learned reader of the Middle Temple, and we will quote them, as putting our opinions in better language than we can attain.

"The public teaching of law," says the learned writer, "has almost fallen into disuse in England; though, for the reasons already given, England, of all countries, is that in which it might be made most efficient, because here, more than in any other country,

theory may be confirmed by and combined with practice. Indeed, it is probable that the facilities for obtaining a practical knowledge of the law may have tended to the neglect of other means of studying the law; while in some countries, where there are fewer facilities for this practical discipline, the study of the law is nearly altogether disjoined from its practical applications.

"The place in which there are the greatest opportunities for obtaining a knowledge of the practice of the law is also the fittest place in which law should be studied purely as a science; and the mutual influence of the theory and the practice will thus operate beneficially on both.

"Lectures in London on general jurisprudence, and on the various branches of English law, might then have these advantages: they would facilitate the study of law to beginners; they would be useful as preliminary to studying the actual practice of the law, or might be useful in combination with it; they would give a student a systematic view of those general principles which he has one day to see applied to actual business; they would accustom him to view things in their utmost generalities as well as in their minute details; they would furnish him with admitted principles or rules, the right application of which he must learn by practice; they would train him to seek for solutions of difficult questions in fixed principles rather than in the mere resemblances of particular cases; to strengthen his understanding by seizing the rules of law in all their fullness, and following them out to all their logical consequences with obstinate resolution; and not to burthen his memory with nice distinctions and endless differences, and minute subdivisions and petty classifications, which are not the stuff and matter of any science, though they have a deceitful shew of reality about them, but are mere appendages and tinsel with which all sciences are incumbered.

"If a general course of legal education should be established in London, it would also enable all persons who intend to practise a particular branch of the law to obtain some exact knowledge of those branches which they do not intend to practise. It is a defect in a lawyer's education that he has not an adequate knowledge of the whole law of his own country; for though a man may, and generally must, confine himself to the practice of a part of the law, he often feels the want of a knowledge of other branches, even in his own practice. Such a general knowledge of the law would enlarge his views, and enable him to form a juster judgment of the whole effect of any proposed alterations in the law. He would neither be a hasty innovator, nor an obstinate enemy to all change. One of the strongest arguments in favour of a body of public teachers, whose business it shall be to expound the whole of the law which we possess, is derived from the development and the change which all law must and does undergo in the course of time. We have two striking historical examples of this—the Roman law and our own. The Roman law had many centuries of growth, change, and progress. So long as the huge mass was impressed by the mental activity and sound practical sense of their great jurists, it was in the course of useful practical development. With the decay of this class of

men, and the contemporaneous political disorganisation of the empire, improvement ceased, and all that we find afterwards was an attempt to preserve, by compilations of little merit as such, the dismembered fragments of that to which the clear understandings of a Paulus, an Ulpian, or a Papinian could alone give a vital coherence. For it may be as well to observe, by way of obviating any misconstruction of what is here said, that it is not supposed that a body of public teachers, however able they might be, are here compared with the jurists whom I have mentioned. A right apprehension of the real character of these jurists will shew that another class of persons is referred to. The eminent Roman jurists were specially practical; they were engaged in the judicial administration of the law, and in giving legal opinions which were to determine the law; and their writings are practical—that is, practical in the good sense of practice. A large part and the best part of the Digest consists of legal cases and their solutions. The law of a country lives not in its outward form, but in the intellectual activity of those who practise and those who judicially administer it. The reasons, then, for the establishment of a body of public teachers of law are, that they may aid in giving to the practised sagacity and skill of the English lawyer another element which shall contribute to the conservation of all that is good in our system, and to the improvement of that which requires to be mended. The changes which our own social condition has undergone from the time when the Conqueror seated himself on the throne of England, up to the present day, are as great in kind, if not in degree, as the changes in the condition of this island between the time when the Romans first set their feet upon it and the day when the Saxon gave way before the Norman invader. Nor is it possible but that further changes must from time to time be made, as the social wants shall be more clearly developed, and new necessities shall arise. And they are daily arising from the changes in our habits and ways of thinking, the increased activity of our industry, and in the extension of the empire. But in the midst of the overwhelming and incongruous mass of which the whole body of our law consists, we possess certain elements of order and improvement. We have had a long national existence, and our present condition has grown out of the past; a rude and irregular growth, it is true, but our past condition has always had in it the elements of improvement, and our present condition has them too. Our present and our past are not disjoined by any rude separation, and we find ourselves in the nineteenth century with the experience of age and the vigour of youth. To make the best use of our opportunities, it is necessary that the general education of the country be comprehensive and exact, especially in all matters political, of which one important branch is the science of law. Jurisprudence, though distinct from legislation, is intimately connected with it. Legislation is directly concerned about the determination of the objects which can properly, that is usefully, become objects of law. It is connected with general jurisprudence as with a system of principles and rules embodied in a technical language, by which it shall accomplish its general ends or purposes; and it is connected with the

jurisprudence of the particular country in which it is active as a system of principles and rules to which it must have regard in establishing any new rules in order that harmony and coherence may be preserved.

"The department of legislation which is concerned about the digestion of law, whether written or unwritten, which also may involve the introduction of new rules of law and the abolition of old rules, and the change of old modes of accomplishing a given end for new and better modes which shall accomplish the same end, requires the aid of jurisprudence, or, to speak more exactly, cannot operate without it; and the assistance of practical lawyers is here absolutely necessary in order that legislation may effect that which it designs to do.

"The establishment of a school of law in London would be useful for those who may become members of the Legislature, by giving them opportunities of learning the general principles of jurisprudence, and also obtaining some exact knowledge of the whole of our system. Many men, I believe, are called to the Bar, or prosecute legal studies to some extent, without any intention of practising, and some of them enter the Commons' House. As members of a legislative body they have a political science to regard, the object of which is public advantage or utility—the science of legislation, which is distinct from that of jurisprudence. But they have also to regard the fitness of the means to the end, the form of a law as well as its use; and the combination of legislative and jurisprudential science is especially necessary in a country where old legal institutions are continually subjected to revision and to alteration. Though the aid of professional lawyers is indispensable in reforming law, competent knowledge in some of the members of the legislative body is equally requisite, when reforms are made by direct legislation*."

Now these, we apprehend, are sound views of the subject. It is said that public teaching has been tried, and has failed; but that is not true. With the exception, as we have said before, of the lectures at Gray's Inn, public teaching has not been tried. Readerships have, it is true, been established; but, neglected by the authorities—not made a part of a system of public teaching, but simply set up as naked readerships—unaccompanied by any machinery to enforce or require attendance upon them, or to give to them any vitality, they have, as might have been expected, proved useless. But it does not follow that a truly collegiate system of training to the law would be equally useless. On the contrary, all experience in other branches of knowledge, and all reflection upon the nature of the study of the law, which shews that, as a science, it does not materially differ from other sciences, tend to the conclusion that the study and the practice of the law would be most materially advanced by the establishment of a Law University, offering systematic instruction, and having the power of giving university distinction. If such a reform did nothing else, it would go far to break up the nepotism which is the daily growing curse, and will, if not checked, be the destruction of the English Bar. For nothing would so effectually check that evil as the power that would be placed in the hands of the public itself of judging of the capacity of young advocates, by referring to their legal university career. At present, a man's university career is public, and does serve him most materially in those things on which it has a bearing; but it has none on the law. And of the acquirements of a young advocate, as there is no public testimony, so there are no means by which the public can acquire a direct knowledge of it. Of the injury to those young advocates who have little to commend them but their knowledge, we need say little to pro-

fessional men. But the public must recollect, that wherever an able man remains unknown, because unfriended, it loses a valuable servant.

Court Papers.

COMMON-LAW SITTINGS, IN AND AFTER MICHAELMAS TERM, 1851.

Court of Queen's Bench.

MIDDLESEX.—In Term.

| | |
|--------------------------------|--------------------------|
| 1st sitting, (at 11 o'clock), | } For short defended and |
| Tuesday Nov. 4 | |
| 2nd sitting, (at 11 o'clock), | } undefended causes. |
| Friday 14 | |
| 3rd sitting, (at half-past 9), | } For undefended causes |
| Saturday 22 | |
| | only. |

After Term.—Wednesday, Nov. 26.

LONDON.—In Term.

| | |
|----------------------------------|-------------------------|
| 1st sitting (at 10 o'clock) | Wednesday Nov. 12 |
| 2nd sitting (at 10 o'clock) .. | Wednesday 19 |

[Any common jury cause may be taken in term]

After Term.—Thursday, Nov. 27, to adjourn only.

The Court will sit at half-past nine o'clock on every day after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

N. B.—The Office of the Marshal and Associate is in Rolls-gardens, Chancery-lane. Hours of attendance, 11 to 2 during term and sittings after term; 11 to 2 during the rest of the year.

Court of Common Pleas.

In Term.

| MIDDLESEX. | LONDON. |
|---------------------|-------------------------|
| Friday Nov. 7 | Wednesday Nov. 12 |
| Friday 14 | Wednesday 19 |

After Term.

| | |
|-------------------------|------------------------|
| Wednesday Nov. 26 | Thursday Nov. 27 |
|-------------------------|------------------------|

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Thursday, the 27th November, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-gardens, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

| MIDDLESEX. | LONDON. |
|--------------------------------|-------------------------------|
| 1st sitting, Tuesday .. Nov. 4 | 1st sitting, Wednes., Nov. 12 |
| 2nd sitting, Thursday 13 | 2nd sitting, Wednesday .. 19 |
| 3rd sitting, Thursday 20 | |

After Term.

| | |
|-------------------------|------------------------|
| Wednesday Nov. 26 | Thursday Nov. 27 |
|-------------------------|------------------------|

(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Arthur Henry Wansey, Gent., of Bristol, to be a Master Extraordinary in the High Court of Chancery.

* Two Discourses, &c. By G. Long, Barrister. 1847.

London Gazettes.

TUESDAY, OCTOBER 14.

BANKRUPTS.

JOHN LEACH and **EDWARD LEACH**, Waterbeach, Cambridgeshire, builders, dealers and chapmen, Oct. 24 at 2, and Nov. 21 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Archer, Ely; Pickering & Co., 4, Stone-buildings, Lincoln's-inn.—Petition filed Sept. 29.

EDWARD RITHERDON, Mill-wall, Poplar, Middlesex, ship builder, dealer and chapman, Oct. 24 and Nov. 18 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lindsay & Mason, 26, Gresham-street, City.—Petition filed Oct. 10.

JAMES MORISON WILSON, Eton, Buckinghamshire, bookseller and stationer, Oct. 28 at 12, and Nov. 25 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Kinsey, 20, Bloomsbury-square, Middlesex.—Petition filed Oct. 7.

EDWARD JONES, Church-st., Blackfriars-road, Surrey, currier and leather dresser, dealer and chapman, Oct. 23 at 2, and Nov. 24 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Hepburn, 12, Cophall-court, London.—Petition filed Oct. 11.

SIDNEY SHERLOCK, Liverpool, wine merchant, dealer and chapman, Oct. 23 and Nov. 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Yates, jun., Liverpool; Dearden, Manchester.—Petition filed Oct. 3.

JOHN REID, Huddersfield, Yorkshire, merchant, dealer and chapman, Oct. 27 and Nov. 24 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Courtenay & Compton, Leeds; Clough & Bantoft, Huddersfield.—Petition dated Oct. 6.

WILLIAM WILLIAMS, **WILLIAM WILLIAMS** the younger, and **THOMAS ROBERT WILLIAMS**, Newport, Monmouthshire, bankers, millers, dealers and chapmen, Nov. 4 and Dec. 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Bevan, Bristol; Hall, Newport, Monmouthshire.—Petition filed Oct. 9.

MEETINGS.

Wm. Williams, Wm. Williams the younger, and Thomas Robert Williams, Newport, Monmouthshire, bankers, Oct. 27 to Oct. 30, from 10 till 4, and Nov. 3 at 11, District Court of Bankruptcy, Bristol, pr. d.; Nov. 4 at 11, ch. ass.—*John Steele*, Spotland-bridge, near Rochdale, Lancashire, brewer, Oct. 24 at 12, District Court of Bankruptcy, Manchester, pr. d.—*John Bowes*, Liverpool, porter dealer, Oct. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Hilton Kay, Robert Kay, and Wm. Kay*, Heywood, Lancashire, cotton spinners, Oct. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Pownall*, Manchester, brewer, Oct. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*James Hoyle and Thomas Hoyle*, Salford, Lancashire, cotton manufacturers, Oct. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac. joint est., and sep. est. of *James Hoyle*.—*Michael Lord*, Lower Bagden, Spotland, Rochdale, Lancashire, sheep salesman, Oct. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*George Blakey*, Lincoln, dealer in perfumery, Nov. 5 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Saml. Dixon*, Leeds, Yorkshire, draper, dealer and chapman, Nov. 5 at half-past 11, Court of Bankruptcy, London, div.—*James Bellingall*, Edward-street, Portman-square, Middlesex, pianoforte maker, Nov. 5 at 12, Court of Bankruptcy, London, div.—*Henry Mills*, Lynn, Norfolk, glover, Nov. 5 at half-past 1, Court of Bankruptcy, London, div.—*John Latham*, Howland-street, Fitzroy-square, Middlesex, pianoforte manufacturer, Nov. 4 at 12, Court of Bankruptcy, London, div.—*Henry Canning*, Broad-street, London, merchant, Nov. 4 at 11, Court of Bankruptcy, London, fin. div.—*Richard Pegg*, Brighton, Sussex, wine merchant, Nov. 1 at 11, Court of Bankruptcy, London, div.—*James Thomas Hobson*, Wellingborough, Northamptonshire, corn merchant, Nov. 1 at 1, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Trego, Coleman-street, London, builder, Nov. 4 at 11, Court of Bankruptcy, London.—*Wm. H. Ayles*, Rickmansworth, Hertfordshire, builder, Nov. 4 at half-past 11, Court of Bankruptcy, London.—*S. Clay Beestall and Wm. Mather*, High-street, Kensington, Middlesex, linendrapers, Nov. 5 at 11, Court of Bankruptcy, London.—*W. Brunsell*, Paternoster-row, London, and York-place, Battersea, Surrey, silk manufacturer, Nov. 5 at 1, Court of Bankruptcy, London.—*Wm. E. Pollitt*, Chenies-place, Somers-town, Middlesex, carver, Nov. 6 at half-past 11, Court of Bankruptcy, London.—*John Francheiss*, Portsea, and Landport, Southampton, woollendraper, Nov. 6 at 12, Court of Bankruptcy, London.—*Richard Pegg*, Brighton, Sussex, wine merchant, Nov. 1 at 11, Court of Bankruptcy, London.—*W. R. Golder*, Folkestone, Kent, miller, Nov. 1 at 12, Court of Bankruptcy, London.—*James Graham*, Noble-street, London, warehouseman, Nov. 4 at 1, Court of Bankruptcy, London.—*David Magrath*, George-row, City-road, Middlesex, colour manufacturer, Nov. 1 at 11, Court of Bankruptcy, London.—*Geo. Edwin Deeley*, Brunswick-terrace, Trinity-street, Dover-rd., Newington, Surrey, ironfounder, Nov. 5 at 12, Court of Bankruptcy, London.—*Jas. Thos. Hobson*, Wellingborough, Northamptonshire, corn merchant, Nov. 1 at 1, Court of Bankruptcy, London.—*W. Mooney*, Liverpool, corn merchant, Nov. 6 at 11, District Court of Bankruptcy, Liverpool.—*Charles Hargreaves*, Liverpool, tailor, Nov. 4 at 12, District Court of Bankruptcy, Liverpool.—*John L. Mumford*, Stoke Gabriel, Devonshire, miller, Nov. 4 at 1, District Court of Bankruptcy, Exeter.—*Robert Thorpe*, Stafford, last manufacturer, Nov. 4 (and not Nov. 10 as advertised in last Friday's Gazette), at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

A. S. Breeze, Aylesham, Norfolk, ironmonger.—*Thos. W. Boulton*, Broad-court, Bow-street, Covent-garden, Middlesex, potato salesman.—*H. Kay, Robt. Kay, and Wm. Kay*, Heywood, Lancashire, cotton spinners.—*Edw. George Cuff*, Leicester, hotel keeper.—*John Percival*, Market Deeping, Lincolnshire, innkeeper.

PETITION ANNULLED.

Jacob Harvey, Gravesend, Kent, timber merchant.

SCOTCH SEQUESTRATIONS.

William Buchanan, Glasgow, shawl printer.—*Chas. Boyd & Son*, Glasgow, commission merchants.—*Alexander Dallas*, Glasgow, coach builder.—*A. & D. Christy*, Glasgow, soap manufacturers.—*Williamson & Stark*, Glasgow, wholesale grocers.—*James Taylor*, Glasgow, merchant.—*McCall, Jackson, and Patterson*, Edinburgh, straw-bonnet makers.—*William Jackson White*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Pitchers, Hackford next Reopham, Norfolk, shoe-maker, Nov. 21 at 10, County Court of Norfolk, at Aylsham.—*William Southgate*, Dilham, Norfolk, dealer in tea, Nov. 22 at 10, County Court of Norfolk, at North Walsham.—*Hugh Morgan*, Birmingham, travelling draper, Oct. 25 at 10, County Court of Warwickshire, at Birmingham.—*Joseph Wells*, Birmingham, retail brewer, Oct. 25 at 10, County Court of Warwickshire, at Birmingham.—*Robert Newland Orton*, Birmingham, attorney and solicitor, Oct. 25 at 10, County Court of Warwickshire, at Birmingham.—*Henry Christy Butler*, Birmingham, eating-house keeper, Oct. 25 at 10, County Court of Warwickshire, at Birmingham.—*Samuel Giles*, Birmingham, licensed victualler, Oct. 25 at 10, County Court of Warwickshire, at Birmingham.—*Elizabeth Gray*, Bristol, grocer, Nov. 5 at 11, County Court of Gloucestershire, at Bristol.—*Robert Dyball*, Great Massingham, Norfolk, machine maker, Oct. 22 at 4, County Court of Norfolk, at King's Lynn.—*John Warrington*, Blythe-marsh, near Cheadle, Staffordshire, china dealer, Oct. 23 at 10, County Court of Staffordshire, at Cheadle.—*Robert Kirkwood Hood*, Broughton, Lancashire, Oct. 22 at 12, County Court of Lancashire, at Salford.—*Oakley Brighten*, Launceston, Cornwall,

nnkeeper, Nov. 12 at 11, County Court of Cornwall, at Launceston.—*Robert Kirkwood*, Broughton, Lancashire, Oct. 22 at 12, County Court of Lancashire, at Salford.—*David Seaman*, Swaffham, Norfolk, horsebreaker, Oct. 21 at 9, County Court of Norfolk, at Swaffham.—*Henry Hack*, Wallall, Staffordshire, grocer, Oct. 31 at 12, County Court of Staffordshire, at Walsall.—*Stephen Solly White*, Herne Bay, Kent, coal merchant, Oct. 20 at 10, County Court of Kent, at Canterbury.

Saturday, Oct. 11.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Charles Hodgson Hughes, Clifton-street North, Finsbury, Middlesex, warehouseman to general commission agents, No. 62,393 T.; *Henry Carr*, assignee.—*John Stott* the younger, Hereford-terrace, Kingsland, Middlesex, oil and colour man, No. 62,474 T.; *John Welch*, assignee.—*John James Cronin*, Charles-street, Manchester-square, Middlesex, professor of music, No. 62,484 T.; *Thomas George Gladwin*, assignee.—*William Fleetwood*, Bath, Somersetshire, carpenter, No. 70,424 C.; *Samuel Hobbs*, assignee.—*Thomas Davison* the younger, Leeds, Yorkshire, caravan builder, No. 74,062 C.; *Charles Cludera*, assignee.—*James Bamforth*, Ashton-under-Lyne, Lancashire, corn miller, No. 74,105 C.; *John Rothwell*, assignee.—*Nicholas Charles Gelstharp*, Shirley, near Ashburn, Derbyshire, miller, No. 59,480 C.; *William Evans*, new assignee, in room of Anthony Marples, deceased.—*Josiah Cruchley*, Tettenhall, near Wolverhampton, Staffordshire, grocer, No. 72,156 C.; *John Shinton*, new assignee, in room of Edward Dickinson, a bankrupt.

Saturday, Oct. 11.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Wm. Watkins, Vincent-terrace, near River-terrace, City-road, Islington, Middlesex, joiner: in the Debtors Prison for London and Middlesex.—*Joe. Kilby*, Bull-row, Somerset-town, Middlesex, shopman to a leather seller: in the Queen's Prison.—*Charles W. Dexter*, Duke-street, West Smithfield, London, garter maker: in the Debtors Prison for London and Middlesex.—*Wm. John Rye*, Bromley, Bow, Middlesex, painter: in the Debtors Prison for London and Middlesex.—*Walter Whitehead*, Chatham, Kent, harness maker: in the Debtors Prison for London and Middlesex.—*Henry Saul*, Midway-terrace, Lower-road, Rotherhithe, Surrey, coal tar distiller: in the Gaol of Surrey.—*Leopold Sachs*, Cadogan-st., Chelsea, Middlesex, teacher of languages: in the Debtors Prison for London and Middlesex.—*Augustus J. B. Amand*, Featherstone-buildings, Holborn, Middlesex, artificial flower manufacturer: in the Debtors Prison for London and Middlesex.—*Wm. H. Headland*, Earl-street, Blackfriars, London, commission agent: in the Debtors Prison for London and Middlesex.—*Patrick Nagle*, Burton-crescent, New-road, Middlesex, out of business: in the Debtors Prison for London and Middlesex.—*George Haley*, Dudley-hill, near Bradford, Yorkshire, blacksmith: in the Gaol of York.—*Henry Ansley*, Llandilofawr, Carmarthenshire, boot maker: in the Gaol of Carmarthen.—*J. Beshill*, Beckley, Sussex, plumber: in the Gaol of Lewes.—*Henry Knight*, Birmingham, traveller in the wine and spirit trades: in the Gaol of Coventry.—*Joseph Harvey*, Yeovil, Somersetshire, plumber: in the Gaol of Wilton.—*Henry M. Hill*, Brighton, Sussex, bonnet maker: in the Gaol of Lewes.—*Thomas P. Taylor*, Newcastle-upon-Tyne, spirit merchant: in the Gaol of Newcastle-upon-Tyne.—*Henry Booth*, Hyde, Cheshire, labourer: in the Gaol of Chester.—*George Booth*, Duckinfield, Cheshire, assistant to a butcher: in the Gaol of Chester.—*Benj. Daniels*, Norwich, butcher: in the Gaol of Norwich.—*William Prudd*, Ripon, Yorkshire, linendraper: in the Gaol of York.—*Thomas Smith*, Leylands, Leeds, Yorkshire, shoemaker: in the Gaol of York.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Oct. 27 at 10.

Simon Eazy the elder, Milton, licensed victualler.

At the County Court of Northumberland, at NEWCASTLE, Oct. 30 at 10.

Thomas P. Taylor, Newcastle-upon-Tyne, out of business.

At the County Court of Hertfordshire, at HERTFORD, Oct. 30.

Thomas Butcher, Ware, corn dealer.

At the County Court of Sussex, at LEWES, Nov. 4.

John Beshill, Beckley, plumber.

MEETING.

Nicholas C. Gelstharp, Shirley, near Ashborne, Derbyshire, miller, Nov. 1 at 12, at Tomlinson's, Ashborne, sp. aff.

FRIDAY, OCTOBER 17.

BANKRUPTS.

GEORGE FREDERICK NILBOUR, Slough, Buckinghamshire, music seller and dealer in musical instruments, trader, dealer and chapman, Oct. 23 at 11, and Nov. 24 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Oct. 3.

JOSEPH MARRIOTT, Gracechurch-street, London, oil and Italian warehouseman, dealer and chapman, Oct. 25 at 2, and Nov. 27 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Oct. 15.

GEORGE LAWS, Waltham Abbey, Essex, linendraper, dealer and chapman, Oct. 29 at 11, and Nov. 25 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Chambers, 11, Tokenhouse-yard, Lothbury.—Petition filed Oct. 11.

JAMES WHITAKER and **JOSEPH CROWTHER**, Basingthorpe, near Leeds, Yorkshire, stuff dyers, pressers, and finishers, Nov. 3 at 12, and Dec. 1 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Sutcliffe, Sowerby-bridge, near Halifax; Courtenay & Compton, Leeds; Courtenay, 21, Lincoln's-inn-fields, London.—Petition dated Oct. 9.

WILLIAM THOMPSON ADCOCK, Manchester, hotel keeper, dealer and chapman, Nov. 7 and 24 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Cooper & Son, or Street, Manchester.—Petition filed Oct. 4.

MEETINGS.

Henry Mills, Lynn, Norfolk, glover, Nov. 3 at 12, Court of Bankruptcy, London, and ac.—*Wm. Mitchell* and *Wm. Binns*, Barnsley, Yorkshire, ironfounders, Nov. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac. sep. est. of *Wm. Mitchell*; Nov. 11 at 12, first and fin. div.—*Isaac Dewhurst* and *John Sawley Dewhurst*, Embsay, Skipton, Yorkshire, cotton spinners, Nov. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac. joint and sep. est.; Nov. 11 at 11, first and fin. div.—*Fletcher Clarke*, Hawes, Yorkshire, wine merchant, Nov. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Nov. 11 at 11, div.—*James Hodgson* and *Joseph Hodgson*, Underbank, near Hebden-bridge, Halifax, Yorkshire, cotton spinners, Oct. 27 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Bell Harrison*, Sunderland, Durham, draper, Nov. 6 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Nov. 7 at 11, fin. div.—*James Mathison*, Ferryhill, Durham, builder, Nov. 6 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Nov. 7 at 12, div.—*Wm. Gwillim Merrett*, Leadenhall-st., London, and *Oliver's-grove*, Bow-road, Middlesex, surgeon, Nov. 13 at 2, Court of Bankruptcy, London, div.—*Andrew Burn*, Sackville-street, Piccadilly, and *Caroline-place*, Pancras-vale, Middlesex, tailor, Nov. 7 at 1, Court of Bankruptcy, London, div.—*John Hine May*, Brecknock-terrace, Camden-town, Middlesex, draper, Nov. 8 at half-past 11, Court of Bankruptcy, London, div.—*Geo. King Matthews*, Paternoster-row, London, bookseller, Nov. 10 at 11, Court of Bankruptcy, London, div.—*John Franckeiss*, Portsea and Landport, Southampton, woollendraper, Nov. 8 at 12, Court of Bankruptcy, London, div.—*Wm. Watson*, Salisbury-court, Fleet-st., London, licensed victualler, Nov. 7 at 1, Court of Bankruptcy, London, div.—*Joseph Watkins*, Belmont-row, Vauxhall, Surrey, draper, Nov. 7 at 1, Court of Bankruptcy, London, div.—*Charles Johns*, Great Queen-st., Lincoln's-inn, and

Kirby-st., Hatton-garden, fixture dealer, Nov. 7 at half-past 11, Court of Bankruptcy, London, div.—*Francis Adamson*, Bond-court, Walbrook, London, merchant, Nov. 7 at 11, Court of Bankruptcy, London, div.—*William Jos. Hawley*, Woolwich, Kent, grocer, Nov. 7 at 11, Court of Bankruptcy, London, div.—*Wm. Heygate*, Watford, Northamptonshire, and Chardstock, Dorsetshire, brickmaker, Nov. 7 at 12, Court of Bankruptcy, London, fin. div.—*Thos. Teppenden*, Friendly-place, Old Kent-road, Surrey, tailor, dealer and chapman, Nov. 7 at 12, Court of Bankruptcy, London, div.—*Hilton Kay*, *Robert Kay*, and *William Kay*, Heywood, Lancashire, cotton spinners, Nov. 7 at 12, District Court of Bankruptcy, Manchester, div.—*Michael Lord*, Lower Bagden, Spotland, Rochdale, Lancashire, sheep salesman, Nov. 7 at 12, District Court of Bankruptcy, Manchester, div.—*James Hoyle* and *Thomas Hoyle*, Salford, Lancashire, cotton manufacturers, Nov. 7 at 12, District Court of Bankruptcy, Manchester, div. joint est., and div. sep. est. of *James Hoyle*.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

William Brown, Brunswick-street, Stamford-street, Christchurch, Surrey, engineer, Nov. 11 at 11, Court of Bankruptcy, London.—*Manus Feeny* and *John Gard*, St. Martin's-lane, Middlesex, woollendrapers, Nov. 10 at 11, Court of Bankruptcy, London.—*George King Matthews*, Paternoster-row, London, bookseller, Nov. 7 at 12, Court of Bankruptcy, London.—*Joseph Emmett Norton*, Crescent, Aylm-road, Old Kent-road, Surrey, wine merchant, Nov. 10 at 12, Court of Bankruptcy, London.—*Edward Clay*, Eastry, near Sandwich, Kent, linendraper, Nov. 8 at 12, Court of Bankruptcy, London.—*John Limbird*, Strand, Middlesex, stationer, Nov. 7 at half-past 1, Court of Bankruptcy, London.—*Richard Mott*, Gracechurch-street, London, tailor, Nov. 8 at 2, Court of Bankruptcy, London.—*John Hunt*, Edgeware-road, Middlesex, draper, Nov. 7 at half-past 11, Court of Bankruptcy, London.—*William Buchanan*, Gerard-street, Soho, Middlesex, picture dealer, Nov. 7 at 11, Court of Bankruptcy, London.—*Richard Dearie*, Charles-street, Soho, Middlesex, licensed victualler, Nov. 8 at 11, Court of Bankruptcy, London.—*George Shaw*, Wakefield, Yorkshire, grocer, Nov. 10 at 11, District Court of Bankruptcy, Leeds.—*John Midgley*, Kingston-upon-Hull, carpenter, Nov. 12 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*John Nelson Carpenter*, Eardisland, Herefordshire, miller, Nov. 10 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

John Bibby, Llanrhaiade yn Mochnant, Denbighshire, draper.—*Edwin Bliss*, Barbican, London, brushmaker.—*William Baird*, Liverpool, paperhanger.—*Henry Mowbray Arliss* and *Elijah Tucker*, Frith-street, Soho-square, Middlesex, printers.—*Rich. Lewesson*, Great Winchester-street, London, merchant.—*Fletcher Clarke*, Hawes, Yorkshire, wine merchant.

PARTNERSHIPS DISSOLVED.

William Dean, *James William Dean*, and *John Joseph Dean*, Essex-street, Strand, Middlesex, attorneys, solicitors, and conveyancers, (under the style or firm of Dean & Sons).—*William Broughton* and *Francis Raynet*, Bawtry, Yorkshire, attorneys at law and solicitors.

SCOTCH SEQUESTRATIONS.

Daniel McKechnie, Paisley, manufacturer.—*A. G. & D. Morton*, Glasgow, soap manufacturers.—*Chas. Walker*, Kilmuir, writer.—*James Lallo & Co.*, Dundee, drapers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

George Parish, Dudley, Worcestershire, innkeeper, Oct. 24 at 12, County Court of Worcestershire, at Dudley.—*Zachariah Guest*, Oldbury, Worcestershire, out of business, Oct. 25 at 2, County Court of Staffordshire, at Oldbury.—*Joseph Parker*, Tipton, Staffordshire, charter master, Oct. 25 at 2, County Court of Staffordshire, at Oldbury.—*Wm. Griffiths*, West Bromwich, Staffordshire, miner, Oct. 25 at 2, County Court of Staffordshire, at Oldbury.—*Thomas Nickless*, Oldbury-green, Worcestershire, collier, Oct. 25 at 2, County

Court of Staffordshire, at Oldbury.—*Joseph Gadd*, West Bromwich, Staffordshire, nailmaker, Oct. 25 at 2, County Court of Staffordshire, at Oldbury.—*Stanford Bartley*, Peas Pottage-gate, near Crawley, Sussex, licensed victualler, Nov. 6 at 12, County Court of Sussex, at Cuckfield.—*Walter Henry Mills*, Eastington, near Stroud, Gloucestershire, grocer, Nov. 27 at 10, County Court of Gloucestershire, at Gloucester.—*Jas. Hawthorn*, Wolverhampton, Staffordshire, carpenter, Oct. 28 at 12, County Court of Staffordshire, at Wolverhampton.—*Benj. Thomas*, Wolverhampton, Staffordshire, out of business, Oct. 28 at 12, County Court of Staffordshire, at Wolverhampton.—*James William Baxter*, Cambridge, out of business, Oct. 27 at 10, County Court of Cambridgeshire, at Cambridge.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 19 at 11, before the CHIEF COMMISSIONER.

A. Eli Redgrave, Ely-place, Holborn, Middlesex, out of business.—*Wm. John Howe*, Church-terrace, Kentish-town, Middlesex, attorney's clerk.—*James Cooper*, Albion-road, Woolwich, Kent, shoemaker.—*D. E. Cohen*, Great Turner-street, Commercial-road East, Middlesex, out of business.—*Edwin West*, Ampton-street, Gray's-inn-road, Middlesex, professor of music.—*John Putnam*, Middlesex-street, Somers-town, Middlesex, dealer in timber.—*David Cock*, High-street, Notting-hill, Middlesex, in no business.—*Sarah Jane Beale*, Clarence-place, Woolwich-common, Woolwich, Kent, proprietress of a boarding school.

Nov. 19 at 10, before Mr. Commissioner LAW.

Wm. John J. Wickes, Monmouth-place, New-cross, Surrey, distraining broker.—*Wm. H. Sheppard*, Laurel-place, Queen's-road, Dalston, Middlesex, haberdasher.—*Robt. Aldridge*, High-street, Poplar, Middlesex, retailer of beer.—*F. L. Greenley*, Church-terrace, Lewisham, Kent, commission agent.—*G. W. Watte*, St. George's-place, High-street, Camberwell, Surrey, furniture broker.—*Wm. Cope*, Union-street, Somers-town, Middlesex, dealer in eggs.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 1 at 10, before Mr. Commissioner LAW.

John Cox, Cox's-terrace, Lower-road, Rotherhithe, Surrey, builder.—*J. F. Holt*, Hereford-street North, Westbourne-grove, Paddington, Middlesex, out of business.—*Charles P. Feuillan*, High-street, Marylebone, Middlesex, baker.—*Robt. Nicholson*, Aspon-villa, Ladbroke-road, Bayswater, Middlesex, Post-office agent at Rotterdam.—*Jean Pierre Parent*, Frith-street, Soho, Middlesex, tailor.—*James White*, Trafalgar-street, Walworth, Surrey, plumber.—*James Brooker*, Oxted, near Godstone, Surrey, out of business.—*James R. Willis*, Whitefriars-street, London, licensed victualler.—*R. T. Hatfield*, High-street, Battersea-square, Battersea, Surrey, plumber.

Nov. 3 at 10, before Mr. Commissioner LAW.

M. Hunter, Jermyn-street, St. James's, Middlesex, ensign in the 18th Regiment of Bengal Native Infantry.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Essex, at CHELMSFORD, Nov. 22.

John Baker, Harwich, out of business.

At the County Court of Gloucestershire, at GLOUCESTER, Oct. 30 at 10.

Robert James the younger, Stroud, butcher.

At the County Court of Devonshire, at EXETER, Oct. 31 at 10.

James Babb, Halberton, shop assistant.

At the County Court of Sussex, at LEWES, Nov. 4.

H. M. Hill, Brighton, out of business.

At the County Court of Cheshire, at CHESTER CASTLE, Nov. 3.

Wm. Pass, Altrincham, attorney at law.—Thos. E. Alcock, Macclesfield, silkman.—John Dean, Macclesfield, out of business.—John Barker, Birkenhead, out of business.—John Johnston, Hyde, collector of rents.—Henry Booth, Hyde, labourer.—Joseph Thomas, Fevendon, blacksmith.—Robert Plews, Hyde, tin-plate worker.—Evan Jones, Barton, near Farndon, farmer.—George Booth, Duckenfield, assistant to a butcher.

THE BAR and ATTORNIES.—COUNTY COURT ADVOCACY.—It being very desirable that some definite understanding and arrangement should be come to upon this subject, which seriously affects the interests and well-being of all parties, the ATTORNIES of the Metropolis are invited to attend a MEETING of the PROFESSION, to be held on MONDAY EVENING next, the 20th instant, at the Freemasons' Tavern, Great Queen-street, at half-past six o'clock precisely, to consider and discuss the matter. Any communication or suggestion thereon will, in the meantime, be thankfully received by Mr. Clarke, Solicitor, 29, Bedford-row.

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PARIS.—Mr. W. G. ROGERS, Attorney-at-Law, Successor to Mr. SLOPER, deceased, has removed his Offices to No. 24, Rue Godot de Mauroi, Paris. References, as before, to Mr. Bebb, No. 12, Argyll-street, London.

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LONDON, OCTOBER 25, 1851.

THE lawyers have been, until lately, backward in the cause of law reform; at least, that cannot now be imputed to them, for pamphlet after pamphlet now issues from the press, bearing the name of some member of the Profession, urging law reform with abundance of energy.

For ourselves, we are almost wearied of the subject, and we conclude that our readers are also; therefore we would not touch upon it, were it not that it is one, that, as professional men, they must consider; because, the public having at length taken it up, reforms, and large reforms, must and will be made, and it behoves the Profession to give them all the aid of its experience and judgment. That the judicial procedure of the country is in a very unsettled state, all men are agreed. But how to resettle it is the difficulty—a difficulty not diminished by the circumstance, as regards the common law at least, that it would be premature to give to the county courts a universal original jurisdiction at common law, and to give them a commensurate code of procedure; while it is very uncertain whether any efforts or any improved procedure can now retain for the superior courts their original jurisdiction. To us it appears that the time for so doing has passed away, and that but a few years will elapse before it will become necessary for the county courts to be put on such a footing as to transact all the original common-law business of the country, and to convert the superior courts into purely appeal courts. If eight or ten years ago the procedure of the superior courts had been substantially simplified, so as to divest it of the expense and delay of which the public complained, probably county courts would have no more been thought of. But county courts have been allowed to be formed; the current of business and public favour has set in towards them; the people have, in fact, begun to accustom themselves to local courts; we doubt whether it is now possible, by any reform, to turn the current back. More, we doubt whether it would not now be wiser in the Legislature to adapt the county

courts to deal with all original business, and to remodel the superior courts, so as to convert them into one or more appeal courts.

This, however, is, we believe, at present, a view taken only by a minority even of the public; certainly by a minority of the Profession; and it is not, therefore, likely yet to be acted upon. In the meantime attention must continue to be directed to the reform of the superior courts. We confess that on this subject we agree with those who think that "pleading," as the word is technically understood by lawyers, must be utterly abolished in courts both of law and equity, if they are to be expected to hold the public favour. That is, not that there shall be no written statements on either side by which the other may know what it is that he has to meet, but that the end and aim of pleading shall go so far as that, and no farther; and that there shall be no such thing as the real merits and substance of a case being withdrawn from judicial consideration, by means of the forms of pleading. On this point it is thought by many that the Common-law Commissioners do not go far enough; and some pertinent observations are to be found in a pamphlet by Mr. Collier, of the common-law bar*. He says—

"They," the commissioners, "have, indeed, demolished no small portion of the system, and so rudely shaken it, that it seems doubtful whether what they have left be capable of holding together, were it desirable that it should hold together."

"They have removed what has been considered by many the very key-stone of pleading—that rule which restrains parties from making or denying more than one assertion, by which alone it has been supposed possible to bring the otherwise interminable disputation to a point. Plaintiffs and defendants, henceforth free to deny or assert as many things as they please at any stage of the proceedings, are to go on pleading, replying, rejoicing, and rebutting, with an increase of vigour and prolixity, the consequences of which it is

* Letter on Reform of the Superior Courts of Common Law. By R. P. Collier. Turpin, London.



difficult to calculate. They abolish 'express colour'—a logical consequence of the application of the rule before noticed, which runs through the foundations of pleading, viz. that pleas shall be in denial, or in confession and avoidance; and introduce a class of pleas not even ostensibly complying with this rule. The rule, however, is retained, no longer applicable in some cases, and of doubtful application in many others, where questions of 'implied colour' may arise. They abolish the different forms of action closely allied to the abstrusest mysteries of the science: they deal specially with the action of ejectment: they do away with various fictions, profert, andoyer, and special demurrers.

"Pleading, as it comes out of their hands, will, indeed, be so changed as to be scarcely recognisable by those to whom it was most familiar; yet the change will not amount to a destruction of its identity; what is left will still be 'pleading,' to be construed by all the old rules and cases, as far as they are applicable on general demurrer, (and every one knows how difficult it often is to say what is matter of 'form,' and what of 'substance'); all its stages of plea, replication, rejoinder, rebutter, surrebutter, will be retained, lengthened by the permission to plead any number of matters; pleas in abatement, to be verified on oath, as distinguished from pleas to the jurisdiction, pleas in bar, pleas puis darrein continuance, will still remain. Pleadings are not to be made intelligible or explicit, at least to ordinary apprehensions, but are still to be explained by other statements, in more cases than at present; and parties are still to be allowed to lie by till after the trial, and if defeated raise their objections, as at present, by motion in arrest of judgment, or writ of error.

"It cannot but be regarded as questionable whether, if so much which has been hitherto deemed essential to the system is to be done away with, such fragmentary portions of it as may be left will be capable of working together as a harmonious whole; and it certainly will not be disputed, that if the existing order of things is to be seriously interfered with, the interference should be such as may hold out some prospect of finality.

"It is well worth consideration whether this system of pleading, which has failed to attain the only rational objects for which it can be supposed to have been invented, and has given rise to unimagined evils—which, after a long trial, stands in a great degree condemned by the Profession, and wholly by the public, who have been driven by it more than by any other cause from Westminster Hall—should not be altogether abandoned, and some new and simple mode of procedure sought out from the dictates of common sense and practical convenience. . . .

"My suggestion is, that the plaintiff should be compelled in every case to furnish one statement only of his claim or complaint, in no formal shape, but in language sufficiently intelligible to the defendant: that if the defendant complains of its not conveying to him sufficient information, he should be at liberty to apply to a judge to order its being made more explicit: and that after amendment, or the plaintiff electing to abide by it, he should have the power of objecting to its sufficiency in point of law, or disputing the facts, or doing both.

"It may be said this would still be 'pleading,' and the plaintiff's statement would be a 'declaration' under another name.

"The answer is, that a substantial difference, well known to lawyers, exists between the construction of 'declarations' and 'particulars': that as long as the declaration is retained apart from 'particulars' the judges will probably consider themselves bound to apply to it (perhaps reluctantly) a number of reported cases decided upon the rules of pleading: whereas it has been repeatedly laid down that 'particulars' are not to be construed by pleading rules, but only by the simple test whether they convey sufficient information, or tend to perplex and mislead: it may be further urged that at all events one statement has the advantage of apparent simplicity over two.

"This proposed statement is, in fact, the 'plaint' now in use in the county courts, and so far it is proposed to assimilate the practice of the superior courts to that of county courts."

Nothing, however, in the way of reforming pleading will alone suffice to render either the superior courts of law or the Court of Chancery again popular. The crying defect of both classes of courts is, that they have not power to deal with the whole of a subject. A Court of equity commences a case, because there are equities in it which a Court of law cannot touch, and is obliged to send it to a Court of law, to deal with what is called some purely legal question, though, in reality, it is a question of law only in form, not in substance; and, on the other hand, a Court of law is obliged to ignore claims, which in substance it could well decide, because it does not suit the parties to bring them forward in the forms which alone the Court of law recognises. The time has arrived when these defects of judicature must be remedied, if the courts in which they prevail, and which are condemned for them, are not intended to be left for execution.

We have frequently called the attention of our readers in both branches of the Profession to the present anomalous and unsatisfactory position of the Bar with reference to the right of advocacy in the county courts; and we now recur to this subject in consequence of a meeting held on Monday last, purporting to be a meeting of "the attornies of the metropolis," convened for the purpose of considering the propriety of effecting some arrangement between barristers and attornies relating to the transaction of business in the county courts.

This meeting, from the paucity of its numbers, and its general character, is far from being entitled to be treated as representing that large and influential class, "the attornies of the metropolis;" but the tone assumed by the principal speakers calls for comment and reply.

It will be in the recollection of our readers, that the Attorney-General stated in the House of Commons, during a debate upon the County Courts Extension Bill, which was so mysteriously dropped at the close of the last session of Parliament, that a considerable combination existed, amongst that class of attornies who have assumed the functions of advocates, to exclude the Bar from all participation in the practice of the county courts. The correctness of this statement has been frequently denied, but it was to some extent confirmed by what fell from the chairman of the meeting on Monday; for we find that gentleman is reported to have said—"He did not see why the barristers should not agree to divide with the attornies the guinea fees received from the county court clients; and he would tell them, if they did not do so, that they would get

nothing." This is as much as to say, "We, the attorneys, have now the power of excluding the Bar, and if that body will not obey our dictation, and accept our terms, and practise under our sufferance and patronage, and, moreover, pay us half the amount of its legitimate fees, it shall not practise at all in courts in which we have a parliamentary right of audience, and a parliamentary monopoly of the right of access to and immediate retainer by the suitors."

The courage and manly independence of the English Bar have long been two of its most distinguishing characteristics, and we know little of its present spirit if it is at all likely to be influenced by such a proposition as the one to which we have alluded. The Bar will bide its time. The attorneys, no doubt, have the power at present of excluding the Bar from the new local tribunals; but after the expressed feeling of the House of Commons on the subject, this evil will probably be remedied in the ensuing session.

We have often urged the advantages of keeping distinct the two branches of the Profession, and we see no reason to alter our views; but there is a wide difference between the barrister acting as an attorney, and his acting as the advocate and counsellor of the client without the compulsory intervention of an attorney. The first is that which the Bar has never done, and we hope never will do; the latter is what, until within a century ago, was the almost invariable practice, and is a course still frequently pursued in criminal cases and in the preparation of wills. We have no desire to see this practice brought into more frequent use, if it can be avoided; yet there can be little doubt but that in such courts as the county courts, where most of the ministerial duties which in the superior courts fall within the province of the attorney are discharged by the clerks and bailiffs of the court, the intervention of an attorney might be frequently dispensed with, and the suitor might himself hand his brief and his retainer to the counsel of his own selection—a course which we believe would go far to destroy the injurious effects of nepotism, and which, without compromising the position of the Bar, would have a salutary effect in checking what we cannot but designate the present mischievous system of attorney advocacy, and in at once effectually preventing the repetition of any such proposition, with its attendant threats, as that to which we have drawn attention.

It would be well for solicitors who practise as advocates in county courts to remember that the proper and ancient province of the Bar is to advise upon the applicability of legal principles and legal decisions to particular cases, and to advocate the client's cause in open court; whilst the extensive range of the duties of the attorney and solicitor embraces the general management of his client's estate, the investigation of the facts out of which his supposed rights and liabilities arise, the raising money by loan, or finding safe investments for capital, and duties of a like nature, always important, often of the greatest delicacy, and demanding the exercise of great skill and ability; yet, as was well observed by an eminent solicitor, when giving his evidence before a Committee of the House of Commons on Legal Education, rendering "law the least part of the duty of a solicitor in large practice." We hope that the Law Institution, to whom the meeting of Monday last, by a resolution, referred the question they had met to discuss, will inquire into the matter in a widely different spirit from that which seems to have pervaded some members of that meeting.

We shall always advocate the maintenance of friendly relations and a due regard for the reciprocal rights of the barrister and the attorney, but these must rest upon a sound basis, and be consistent with the honour and independence of both branches of the Profession.

THE TAXATION AND PAYMENT OF SOLICITORS' BILLS OF COSTS UNDER THE STAT. 6 & 7 VICT. c. 73.

THE taxation of solicitors' bills of costs is now regulated by the stat. 6 & 7 Vict. c. 73, intitled "An Act for consolidating and amending several of the Laws relating to Attorneys and Solicitors practising in England and Wales," the 37th section of which, after providing that no solicitor shall commence or maintain any action or suit for the recovery of any fees, charges, or disbursements for business done until the expiration of a month after he shall have delivered to the party to be charged therewith a bill thereof, signed by him, or inclosed in or accompanied by a letter referring thereto, empowers the Lord Chancellor or the Master of the Rolls, in case the business contained in such bill, or any part thereof, shall have been transacted in the Court of Chancery, or in any other court of equity, or in any matter of bankruptcy or lunacy, or in case no part of such business shall have been transacted in any court of law or equity, to refer such bill, upon the application of the party chargeable therewith within such month, for taxation, without any money being brought into court, and to restrain any action or suit thereon pending such reference.

And in case no such application shall have been made within a month, to make a reference for taxation, either upon the application of the solicitor, or of the party chargeable by such bill, with such directions and subject to such conditions as the Court shall think proper; and the Court may restrain any action or suit, upon such demand, pending such reference, upon such terms as shall be thought proper.

But no reference is to be directed, upon the application of the party chargeable by such bill, after a verdict shall have been obtained or a writ of inquiry executed in any action for the recovery of the demand, or after the expiration of twelve months after such bill shall have been delivered, except under special circumstances, to be proved to the satisfaction of the Court.

Although the language of the act, in terms, merely authorises the Lord Chancellor or Master of the Rolls to make the orders of reference for taxation of solicitors' bills of costs, yet in this, as in other cases, the jurisdiction of the Lord Chancellor may be exercised by the Vice-Chancellors. (*In re Carew*, 8 Beav. 128; *In re Howard*, Id. 428; see *Ex parte Wilkinson*, 2 Coll. 92; *In re Bagshaw*, 2 De G. & S. 205; 5 Geo. 3, c. 24; 5 Vict. c. 5; and 14 & 15 Vict. c. 4).

The statute has been held to be retrospective in its operation, not only as to bills delivered before it passed, for business previously transacted, and which were taxable under the law existing before it passed, but also to bills for business done before the act, and which for the first time are made taxable by the act. (*In re Lees*, 5 Beav. 410; *In re Rhodes*, 8 Beav. 224; *In re Eyre*, 2 Ph. 267). The late Master of the Rolls held that the payment of a bill, taxable before the act came into operation, would not preclude taxation of it under the act, upon a proper application made in due time; but that a bill for the first time made taxable by the act, and paid before it was passed, could not be taxed under it. (*In re Lees*, 5 Beav. 410).

The jurisdiction which is conferred upon the Court by the act is merely to ascertain the amount payable by one party to the other, according to the ordinary rules of practice, (*In re Rhodes*, 8 Beav. 224; *In re Eyre*, 10 Beav. 569; aff. on app., 2 Ph. 367), and to direct payment in cases where no reason appears why payment should not be made, but where it appears probable, upon grounds not determinable under the act, that payment ought not to be made without further investigation; as, where there is evidence of an agreement

between the parties which covers the whole bill, and not merely a particular class of items in it, as to the manner in which costs are to be charged, or the mode in which the amount of them is to be ascertained, and which, if valid, is a special contract, and precludes taxation altogether, the Court will abstain from ordering taxation or payment of the bill until the question respecting the agreement shall have been determined. (*In re Whitcombe*, 8 Beav. 140; *In re Dalby*, Id. 469; *In re Eyre*, 10 Beav. 569; aff. on app., 2 Ph. 367; *In re Mackrill*, 11 Beav. 42; *In re Beale*, Id. 600). But as the Court had not jurisdiction before the passing of the act, (*In re Smith*, 4 Beav. 309; *Alexander v. Anderson*, 6 Beav. 405), and the act does not authorise the Court to determine whether a special agreement does or does not exist between the parties, (*In re Rhodes*, 8 Beav. 224), much less to determine the validity (*In re Eyre*, 2 Ph. 367) or construction (*In re Rhodes*, 8 Beav. 224; *In re Thompson*, Id. 237; *In re Beale*, 11 Beav. 600) of such an agreement, or to set it aside, (*In re Whitcombe*, 8 Beav. 140), the Court will not entertain any of those questions upon petition under the act, and a bill must be filed to enable the Court to adjudicate upon them. (*In re Rhodes*, 8 Beav. 224).

However, if the special agreement does not extend to the whole bill, but only to some of the items in it, or is merely an agreement to give the solicitor some additional remuneration to his ordinary charges, it will not oust the jurisdiction of the Court to order taxation of the bill upon petition, as it is the practice of the Taxing Masters of the court to take such agreements into consideration under the common order for taxation, and therefore they need not be stated in a petition for an order of course for that purpose. (*In re Eyre*, 10 Beav. 569; aff. on app., 2 Ph. 367).

Where the amount of a bill of costs was included as an item in a settled account between a solicitor and client, and retained by the former out of monies in his hands, Lord Langdale, M. R., held that the Court had no jurisdiction under the act to order the taxation of a bill so paid, upon petition; and that a bill was necessary to open the accounts between the parties. (*Barwell v. Brooks*, 7 Beav. 345; *In re Cullin*, 8 Beav. 121). Lord Cottenham, C., has remarked (*In re Stephen*, 2 Ph. 562) upon this case, that the observations of the Master of the Rolls, as to the Court not having jurisdiction upon petition to open a settled account, must be understood to have reference to the facts of that case, in which the amount of a bill of costs formed an item only of a settled account, the balance of which had been paid to the client, and the bill in that manner discharged; that his observations could not have been intended to apply to a case of mere settlement of a bill of costs, for that would be to repudiate the jurisdiction by petition in every case of payment, which was of itself a settlement.

The statute does not authorise the taxation of every pecuniary demand or bill which may be made or delivered by a person who is a solicitor, for every species of employment in which he may happen to be engaged. The business contained in a taxable bill may be business of which no part was transacted in any court of law or equity, but it must be business connected with the profession of an attorney or solicitor—business in which he was employed because he was an attorney or solicitor, or in which he would not have been employed if he had not been an attorney or solicitor, or if the relation of solicitor and client had not subsisted between him and his employer. (*Allen v. Aldridge*, in *re Ward*, 5 Beav. 401; see also *In re Simons*, 2 Dowl. & L. 500). Thus the bill of charges of the steward of a manor, who happened to be a solicitor, but was not employed as such, but merely as steward of the manor upon a particular occasion, is not taxable under the statute. Lord Langdale, in disposing of a petition which sought the taxa-

tion of such a bill, said, "The relation of solicitor and client did not subsist between the solicitor and the petitioners; or between the solicitor and any other parties in relation to this matter; he was not employed because he was a solicitor, but because he was steward of the manor, and he might have been steward of the manor without being a solicitor. His bill was not, as to any part of it, a solicitor's bill; it was the bill of charges claimed to be payable to the steward of the manor, and nothing else; and therefore the petition must be dismissed, with costs."

In order to obtain the taxation of a bill, the client must present an effective petition for that purpose within the time limited by the statute for each class of cases for which it provides; and the Court will not allow an ineffective petition, presented within the time specified by the act, to be amended after the expiration of such time, for the purpose of making out a substantive case, as that would be in effect to enlarge the time limited by the statute. (*Barwell v. Brooks*, 7 Beav. 345).

The Court will direct the taxation of a bill of costs incurred upon a joint retainer, upon the application of one of the parties offering to pay what may be found due; (*Lockhart v. Hardy*, 4 Beav. 224; *In re Hair*, 10 Beav. 187); but it will not do so in the absence of the other party, if an action has been brought against both parties, as the solicitor might thereby be deprived of the benefit of the undertaking of the only responsible party; (*In re Chilcote*, 1 Beav. 421); and the Court will direct the taxation of an agent's bill, on the application of the solicitor who employed him, on payment into court of the amount appearing to be due upon the bills and accounts delivered. (*Oslo v. Christian*, Turn. & R. 324; *Lees v. Nuttall*, 2 My. & K. 284; *Jones v. Roberts*, 8 Sim. 394; *In re Smith*, 4 Beav. 309). But under special circumstances the condition of bringing the sum claimed to be due into court may be dispensed with, or the amount limited by the Court. (*Page v. Nicholson*, 1 Dick. 285; S. C., Beames on Costs, App. 11, p. 361; *In re Smith*, 4 Beav. 309).

The party prosecuting the common order for taxation may object, on the ground of the want of retainer, to any items of the bill, except those for which he has admitted the retainer by his petition. (*In re Bracey*, 8 Beav. 266; *In re Hair*, 10 Beav. 187; see *In re Springall*, 8 Beav. 63).

The Taxing Master will tax a solicitor's bill for parliamentary business upon the scale of parliamentary allowances, under the common order for taxation; (*In re Ludlow*, 11 Beav. 400); but under that order to tax he cannot take a general account of pecuniary dealings between the solicitor and client not connected with the bill of costs, as incidental to the order for taxation; although, for the purpose of ascertaining whether the bill has been paid, he may inquire what sums have come to the hands of the solicitor, as the legal agent of his client, applicable to the payment of it. (*Cooper v. Ewart*, 15 Sim. 564; aff. on app., 2 Ph. 362; see *In re Smith*, 4 Beav. 309).

Delivery of Bills and of Deeds and Papers.—The act (sect. 37) also empowers the Court, in the same cases in which it is authorised to refer a bill for taxation, to make such order for the delivery by the solicitor of his bill, and for the delivery up of deeds, documents, or papers in his possession, custody, or power, or otherwise touching the same, in the same manner as heretofore has been done when any business had been transacted in the court in which such order was made.

Before any statutory provisions regulated the general jurisdiction of the Court over its own officers, it had exercised such jurisdiction on several occasions over solicitors, by compelling them upon petition to deliver over to their clients title-deeds and papers upon which they claimed a lien for costs of business, even if no part

of such business had been transacted in any suit or other proceeding in court, upon taxation and payment of their demand. (*Ex parte The Earl of Uzbridge*, 6 Ves. 425; *In re Murray*, 1 Russ. 519; *In re Barber*, 6 Sim. 476; *In re Rice*, 2 Kee. 181).

When a solicitor has delivered his bill he is bound by it, and is not entitled as of course to reduce his demand, or to add to any undercharges contained in it, or to deliver in another bill containing other charges. Where from accident or mistake a bill of costs contains overcharges or other mistakes, the Court will entertain a proper application by the solicitor to correct or alter it, but he will not be permitted to do so as of course, as soon as he finds himself threatened with an adverse taxation. (*In re Carven*, 8 Beav. 436; *In re Wells*, Id. 416; *In re Warblers*, 9 Beav. 299).

The party entitled to the delivery of a bill may appoint another person as his agent to receive it for him; and delivery to the latter has been held to be a due delivery within the meaning of the act; (*In re Bush*, 8 Beav. 66); and it has been decided that a client may obtain an order for the taxation of a solicitor's bill of costs which has been delivered without being signed, or inclosed in or accompanied by a letter referring to it; that is, the Court will not allow the solicitor to avail himself of his own irregularity to escape a taxation; (*In re Pender*, 8 Beav. 299; S. C., 2 Ph. 69; 10 Beav. 390; see *Young v. Walker*, 16 M. & W. 446); and the client who receives an unsigned bill may treat it, at his option, either as a nullity, or as a bill duly delivered under the statute, and so waive the informality; but he cannot treat it as both, first as a duly signed bill, and, if that fails his purpose, then as a nullity. (*In re Gedge*, 14 Beav. 56).

The form in which applications are made to refer bills for taxation, and for the delivery of a bill and of deeds and papers, is by petition, and is directed by the act to be made in the matter of the attorney or solicitor concerned. The act also makes the certificate of the Taxing Master, unless set aside or altered by the Court, conclusive as to the amount of the bill, and directs that payment thereof is to be enforced according to the practice of the Court in which such reference is made. (6 & 7 Vict. c. 73, s. 43).

Taxation before Payment.—An application for an order of reference of a bill for taxation is said to be made, at the latest, at the time the petition for that purpose is indorsed with the usual order by the secretary of the judge, to whom it is addressed, for the parties to attend at the day appointed for hearing the petition, and for notice to be given; and not either at the time of serving the petition upon the opposite party, or at the time appointed for its hearing. (*Sayer v. Wagstaff*, 5 Beav. 415; aff. on app., 8 Jur., part 1, p. 1083).

If the party applying for taxation is out of the jurisdiction of the Court, or gives a false address, he must give security for the costs of the petition, and for the balance that may be found due upon taxation, before the petition is heard, or pay a sum of money into court to answer them when taxed. (*In re Norman*, 11 Beav. 401; *Ex parte Foley*, Id. 456; *Anon.*, 12 Sim. 262).

The client chargeable by a bill is entitled to an order of course, without any special directions for the taxation of it, within one calendar month of its due delivery, within the meaning of the act; and the Court will discharge, with costs, such an order for taxation obtained more than a month after the delivery of the bill. (*In re Becke and Flower*, 5 Beav. 406).

So, the order for taxation after the expiration of a month, but within twelve months after the delivery of the bill, may be obtained as of course, with special directions that no proceedings at law shall be commenced against the petitioner pending the reference, and that the petitioner shall procure the Master's report within a month, (unless the Master shall certify

that further time is necessary to enable him to make his report), or the order to be of no effect; (*In re Gaitskill*, 1 Ph. 576; *In re Pender*, 2 Ph. 69; *In re Becke and Flower*, 5 Beav. 406; *In re Bromley*, 7 Beav. 487; *Holland v. Gwynne*, in re Byrch, 8 Beav. 124; *In re Bignold*, 9 Beav. 269); and the Court will make a party applying for a special order for taxation, in a case in which he is entitled to an order of course for that purpose, pay the costs of the petition, though he succeeds in obtaining the latter order. (*In re Bracey*, 8 Beav. 266; *In re Bignold*, 9 Beav. 269).

It is, however, well settled that a party, obtaining an order of course, does it at his own peril, and that such an order will be discharged for irregularity, though it may appear upon the merits that the party might, on special application, have obtained that very order, or one with small variations to it; (*Harris v. Start*, 4 My. & C. 261; *Grove v. Sansom*, 1 Beav. 297); and that it is by consent only that an order warranted by the merits can be made upon the occasion of a motion to discharge such an order, upon the ground of its having been obtained as of course. (*Holland v. Gwynne*, 8 Beav. 124).

The Court will also discharge for irregularity an order for taxation, if obtained upon a petition suppressing material facts, or which contains any misrepresentation, or an inaccurate statement of the facts of the case. (*In re Carven*, 8 Beav. 436; *In re Gabriel*, 10 Beav. 45; *De Feuchers v. Dawes*, 11 Beav. 46; *In re Eldridge*, 12 Beav. 387; *In re Rees*, Id. 256; *In re Gaitskill*, 1 Ph. 576).

Unless special circumstances are proved to the satisfaction of the Court, it will not refer a bill for taxation if twelve months have elapsed since its delivery. (*In re Bush*, 8 Beav. 66; *In re Harper and Jones*, 10 Beav. 284; *In re Gedge*, 14 Beav. 56). In a case before Knight Bruce, V. C., he held, that the fact of a dispute between some parties and their solicitors, after the delivery of the bill of costs of the latter, as to the completeness of it, which had been carried on more than twelve months after the bill was delivered, when an action was commenced upon it, and a month afterwards a petition presented for its taxation, were special circumstances which rendered it fit to send the bill to be taxed, notwithstanding the lapse of twelve months from the original delivery of it. (*In re Bagshawe*, 2 De G. & S. 205).

Taxation after Payment.—The payment of a bill will not preclude taxation of it within twelve months afterwards. (*In re Downes*, 5 Beav. 425; *In re Massey*, 8 Beav. 458; *In re Blackmore and Billing*, 13 Beav. 154; *Binns v. Hey*, 1 Dowl. & L. 661), if the special circumstances of the case shall, in the opinion of the Court, appear to require it, upon such terms and conditions, and subject to such directions, as to the Court shall seem right. (6 & 7 Vict. c. 73, s. 41).

However, payment of a bill is *prima facie* evidence of an admission of its correctness by the party paying; and the general rule is, that a paid bill is not to be referred for taxation, unless the special circumstances of the case are sufficient to warrant the Court in directing its taxation; (*In re Neate*, 10 Beav. 181; *In re Harding*, Id. 250; *In re Wyche*, 11 Beav. 209); and an *ex parte* order of course, obtained for taxation of a paid bill, even within twelve months after payment of it, will be discharged for irregularity. (*In re Carew*, 8 Beav. 150).

In *Sayer v. Wagstaff* (5 Beav. 415) a client gave his solicitor a promissory note, payable at a future day, and afterwards duly honoured and paid it; whereupon a question arose, whether the debt was discharged at the time the note was given, or at the time it was paid. Lord Langdale held, that the debt might be considered as actually paid, if the creditor, on receiving the note, had agreed to take it in payment of the debt, and to

take upon himself the risk of the note being paid; or if, from the conduct of the creditor, or the special circumstances of the case, such an agreement could be legally implied; (*In re Currie*, 9 Beav. 602; *In re Harper*, 10 Beav. 284; *In re Peach*, 2 Dowl. & L. 33); but in the absence of any special circumstances throwing the risk of the note upon the creditor, his receiving the note in lieu of present payment of the debt was no more than giving extended credit, postponing the demand for immediate payment, or giving time for payment on a future day, in consideration of receiving this species of security. Whilst the time was running payment could not be legally enforced, but the debt continued until payment was actually made; and if payment was not made when the time had run out, payment of the debt might be enforced as if the note had not been given. If payment was made at or before the expiration of the extended time allowed, it was then for the first time that the debt was paid. This decision was approved of and acted upon by the Court of Exchequer in *Re Herries*, (13 M. & W. 3; S. C., 8 Jur., part 1, p. 463); and by Lord Lyndhurst on appeal from the Rolls in this case. (8 Jur., part 1, p. 1083).

After payment of a bill without pressure or improper influence, the Court requires a strong case, amounting to evidence of fraud or imposition, to be made out against the solicitor, in order to induce it to refer his bill for taxation. It is not sufficient to prove that some or many of the items would not be allowed upon an ordinary taxation, for it is seldom that there are not some such items in a solicitor's bill; but items must be specified, and proved to be excessive, and so grossly erroneous as to amount to evidence of fraud, or otherwise it is impossible to tell to what latitude the right of taxation after payment and settlement might be carried. (*Horlock v. Smith*, 2 My. & C. 495; *Waters v. Taylor*, Id. 526; *Sayer v. Wagstaff*, 8 Jur., part 1, p. 1083; *Dunt v. Dunt*, 9 Beav. 146; *In re Drake*, 8 Beav. 123; *In re Thompson*, Id. 237; *In re Bennett*, Id. 467; *In re Jones*, Id. 479; *In re Fyson*, 9 Beav. 117; *In re Currie*, Id. 602; *In re Harrison*, 10 Beav. 57; *In re Harding*, Id. 258).

The special circumstances under which the Court will direct the taxation of a paid bill are said to be such as exist or take place at the time of payment, or such as appear upon the face of the bill—pressure and apparent overcharges. Indeed, without the latter the Court never directs a paid bill to be taxed: if the apparent overcharges do not amount to fraud, or evidence of fraud, they will not be sufficient, in the absence of pressure, to entitle the client to a taxation after payment; but if they are such as of themselves afford evidence of fraud, very slight circumstances of pressure are necessary, if necessary at all, to induce the Court to direct a taxation. (*In re Wells*, 8 Beav. 416; *In re Harding*, 10 Beav. 250; *In re Strike*, 11 Beav. 304; see *In re Stephen*, 2 Ph. 562).

If the client can prove that payment was obtained from him by pressure on the part of the solicitor, or that undue advantage was taken by the latter of the exigencies of his position, the Court, considering these as special circumstances, will direct a taxation after payment so extorted; as where a bill is delivered at a time when it is impracticable, according to the nature of the transaction, to submit it to a satisfactory examination before it is paid—or, in other words, where there has been pressure, and immediate payment has been required by the solicitor at a time when it would have been very inconvenient to the party paying that any delay should occur in the completion of the business; as in the case of an arrangement having been made for transferring a mortgage, when the mortgagee's solicitor attended to complete the transaction, and then delivered his bill, in which items were pointed out and

objected to, but the solicitor refused to complete and deliver over the title-deeds without full payment, so that the parties are driven to the necessity of either paying his bill in full, or breaking off the transaction, and accordingly pay it, the solicitor receiving payment with a knowledge that the bill was objected to. (*In re Tryon*, 7 Beav. 496; *In re Wells*, 8 Beav. 416; *In re Bennett*, Id. 467; *In re Jones*, Id. 479; *In re Stephen*, 2 Ph. 562; *In re Harding*, 10 Beav. 250; *In re Sladden*, Id. 488; *In re Elmslie*, 12 Beav. 538; see *Ex parte Wilkinson*, 2 Coll. 92).

But if the bill of the mortgagee's solicitor has been delivered long enough before the time of settlement to afford the party an opportunity of examining it and getting it taxed, and no objections are made to any of its items before the time of completion, when it is paid, the Court will not direct its taxation, even if the solicitor at the time of the settlement refused to complete or part with the deeds until his bill was discharged. (*In re Jones*, 8 Beav. 479; *In re Harrison*, 10 Beav. 57; *In re Drew*, Id. 368; *In re Welchman*, 11 Beav. 319).

Neither the voluntary payment of a bill upon the production of a draft of it, (*In re Fyson*, 9 Beav. 117; but see *In re Blackmore*, 13 Beav. 154), nor the mere accepting payment of a bill so closely upon its delivery that it cannot have been carefully or deliberately perused or examined by the client, (*In re Currie*, 9 Beav. 602; *In re Harding*, 10 Beav. 250), is of itself such a special circumstance as will induce the Court to direct a taxation of it, in the absence of other special circumstances.

As to payment "under protest," these words are often used upon the payment of bills; but it has been repeatedly stated from the Bench that they have no distinct technical meaning, unless accompanied with a statement of circumstances shewing that they were used by way of notice or protest, reserving to the party, by reason of such circumstances, a right to a taxation, notwithstanding payment. Of themselves the words amount to nothing, and, unless explained by the proceedings and circumstances, are of no effect. (*In re Massey*, 8 Beav. 458; *In re Harrison*, 10 Beav. 57; *In re Neate*, Id. 181; *Ex parte Wilkinson*, 2 Coll. 92).

Taxation upon the Application of a third Party liable to pay, or of a Cestui que Trust.—Any person liable to pay, or who shall have paid, a bill of costs, either to the party chargeable therewith or to his solicitor, may obtain the taxation of it in the same manner and under the same restrictions as the party chargeable therewith might himself have done; and upon an application being made by any such person for a taxation, which, if made by the party chargeable, could not be had except under special circumstances, the Court is authorised to take into its consideration any additional special circumstances applicable to the person making such application, although such circumstances might not be applicable to the party chargeable if he were making the application. (6 & 7 Vict. c. 73, s. 38).

A mortgagor may obtain the taxation of the bill of costs of the solicitor of the mortgagee, which he is liable to pay, in the same manner and under similar circumstances that the mortgagee himself might have done. (*In re Lees*, 5 Beav. 410; *In re Bracey*, 8 Beav. 338; *In re Carew*, Id. 150; *In re Wells*, Id. 416; *In re Bignold*, 9 Beav. 269; *In re Harrison*, 10 Beav. 57; *In re Sladden*, Id. 488; *Ex parte Wilkinson*, 2 Coll. 92; *Dunt v. Dunt*, in *re Colquhoun*, 9 Beav. 146).

The taxation must, however, take place upon the same principles that would be applied to a taxation upon the petition of the mortgagee—that is, it must take place as between the solicitor and the mortgagee, his client, and not as between the former and the mortgagor. The act, although it gives the mortgagor a right to have the bill taxed, has in no respects altered the rights of the solicitor to his charges against his

client, the mortgagee; and they must, therefore, be taxed and dealt with as charges of the solicitor against the mortgagee, and not otherwise. If the bill contains charges which can justly be sustained as charges of the solicitor against his client, the mortgagee, but which the mortgagee would not be entitled to recover as against the mortgagor, the solicitor may still maintain his right, and the mortgagor must look to the mortgagee for his remedy. (*In re Carew*, 8 Beav. 160; *In re Wells*, Id. 416; *In re Jones*, Id. 479; *In re Fyson*, 9 Beav. 117; *In re Bignold*, Id. 269; *In re Harrison*, 10 Beav. 57. See also *In re Rhodes*, 8 Beav. 224; *In re Welchman*, 11 Beav. 319).

The Court has also a discretionary power, upon the application of a party interested in property out of which an executor or trustee is entitled to pay, or shall have paid, a bill of costs with which he is chargeable, to refer it for taxation, with such directions, and subject to such conditions, and to make such order for the payment of what may be found due thereupon, and of the costs of such reference, as the Court shall think fit, having regard, however, to the provisions of the act relative to applications for the like purpose by the party chargeable with such bill, as far as the same shall be applicable to such cases; and in the exercise of such discretion, the Court may take into consideration the extent and nature of the interest of the party making the application; and where any money shall be directed to be paid by the solicitor, the Court may, if it think fit, order the same to be paid to the executor or trustee, instead of the party making the application for taxation; and where the latter party is ordered to pay any money to the solicitor in respect of his bill, he is to be entitled to the same right to be paid by the executor or trustee as the solicitor had. (6 & 7 Vict. c. 73, s. 39).

And the Court may order the solicitor, upon the application of either the party liable to pay, or of the party interested in property out of which the bill is to be or shall have been paid, to deliver to such party, for the purpose of such reference, a copy of his bill, upon payment of the costs of it. (6 & 7 Vict. c. 73, s. 40; *In re Spiels*, 13 Beav. 154).

The Court, in exercising its discretionary power to direct the taxation of a bill, upon the application of a party interested in the property out of which it is payable or shall have been paid, acts upon the same rules as are established in the case of applications for taxation by the party chargeable, except so far as any special directions may be thought proper in each particular case. (*In re Downes*, 5 Beav. 425; *In re Massey*, 8 Beav. 458; *In re Bennett*, Id. 467; *In re Neate*, 10 Beav. 181; *In re Ross*, 12 Beav. 256).

Although the statute gives the cestui que trust a right to tax a bill which is payable out of his monies, yet it does not alter the relation of solicitor and client between the executor or trustee and his solicitor, and the taxation must, therefore, take place as between them, and not as between the solicitor and the cestui que trust. If, however, any improper payments are made by the trustee or executor to his solicitor or other persons, the cestui que trust has a right to call upon the trustee or executor for an account, and to make him liable for them; and though the Court may not be able to order a taxation, as against the solicitor, there is nothing in the act to prevent the Court from ascertaining, by taxation, what is a proper sum to be allowed the trustee or executor for his payment. (*In re Downes*, 5 Beav. 425; *In re Massey*, 8 Beav. 458; *In re Neate*, 10 Beav. 181; *Grove v. Sansom*, 1 Beav. 297; *Hasard v. Lane*, 3 Mer. 291).

The Costs of Taxation.—If either the solicitor or client, after having due notice, refuses or neglects to attend the taxation, the act (6 & 7 Vict. c. 73, s. 37) authorises the Taxing Master to proceed ex parte with

it; and provides, that in case any reference for taxation is made, upon the application of the party chargeable, or upon the application of the solicitor, and the party chargeable attends the taxation, the costs thereof (except as thereafter provided for) shall be paid according to the event of such taxation; that is to say, if the bill, when taxed, is less by a sixth part than the bill delivered, the solicitor is to pay the costs of the taxation; (*In re Hair*, 11 Beav. 96; *In re Remnant*, 9 Beav. 603; *In re Haigh*, 12 Beav. 307); but if not less than a sixth part, the party chargeable making the application, or attending the taxation, is to pay the costs of it. (*In re Wells*, 8 Beav. 416).

The act (same section) also provides, that every order of reference for taxation shall direct the Taxing Master to tax the costs of such reference, and to certify the amount due in respect of the bill, and of the costs of such reference, if payable; and that in all cases the Taxing Master shall be at liberty to certify specially any circumstances relating to the bill or taxation, and the Court may thereupon make such order as shall seem right respecting the costs of such taxation; and that where the reference for taxation is made under special circumstances, the Court may, if it shall think fit, give any special directions relative to the costs of it.

T. H. F.

LONDON GAZETTE.

TUESDAY, OCTOBER 21.

BANKRUPTS.

GEORGE FREDERICK NIEBOUR, (and not *NILBOUR*, as before advertised), Slough, Buckinghamshire, music seller and dealer in musical instruments, trader, dealer and chapman, Oct. 23 at 11, and Nov. 24 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, Charlotte-row, Mansion-house.—Petition filed Oct. 3.

JOSEPH MARRIOTT, Gracechurch-st., London, oil and Italian warehouseman, dealer and chapman, Oct. 25 at 2, and Nov. 27 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, Charlotte-row, Mansion-house; Berkeley, Lincoln's-inn.—Petition filed Oct. 15.

EMANUEL SIMON HOWARD and THOMAS STONE, Norwich, builders, blindmakers, dealers and chapmen, Oct. 30 at half-past 12, and Nov. 27 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Miller & Son, Norwich; Abbott & Wheatly, 22, Southampton-buildings.—Petition filed Oct. 10.

ROBERT WILLIAM JEARRAD the younger, Oxford-street, Middlesex, carpenter and builder, dealer and chapman, Oct. 31 at 12, and Nov. 28 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Rhodes & Co., 63, Chancery-lane.—Petition filed Oct. 17.

CHARLES COOPER, High-street, Wandsworth, Surrey, grocer and cheesemonger, Oct. 30 at 11, and Nov. 27 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Wellborne, Tooley-st.—Petition filed Oct. 18.

GEORGE HAYNES, Leek, Staffordshire, dealer and chapman, Nov. 6 and 27 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Dodge, Liverpool; Motteram & Co., Birmingham.—Petition dated Oct. 17.

ROBERT TILL, Worcester, grocer and cheese and bacon factor, dealer and chapman, Nov. 1 and 24 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. R. T. & C. Rea, Worcester; E. & H. Wright, Birmingham.—Petition dated Oct. 9.

EDWARD CAIRNS, Newport, Monmouthshire, corn and provision merchant, Nov. 6 and Dec. 2 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Addison, Gloucester; Abbott & Lucas, Bristol.—Petition filed Oct. 6.

JOHN DEANE, Liverpool, chemist, druggist, and apothecary, Nov. 3 and Dec. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Peel, Liverpool.—Petition filed Oct. 17.

JOHN SYKES the younger, Sowerby, near Halifax, Yorkshire, tea dealer and woollen manufacturer, Nov. 3 and Dec. 1 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Sutcliffe, Sowerby Bridge, near Halifax; Courtenay & Compton, Leeds; Bagster, 2, Walbrook-buildings, London.—Petition dated Oct. 7.

JACOB DOVE, Leeds, Yorkshire, currier, dealer and chapman, (surviving partner of the firm of William and Jacob Dove), Nov. 7 and Dec. 8 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Shackleton, Leeds.—Petition dated Oct. 17.

MEETINGS.

Robert Derham, Leeds, Yorkshire, and **Walter A. Hinde** and **James Derham**, Dolphinhomes, Lancashire, worsted spinners, Nov. 7 at 11, District Court of Bankruptcy, Leeds, pr. d. sep. est. of **Robert Derham**, and aud. ac. joint est.—**John Thos. Curtis**, Norwich, grocer, Nov. 7 at half-past 11, Court of Bankruptcy, London, last ex.—**Joseph Cundall**, Old Broad-st., Middlesex, publisher, Nov. 7 at 12, Court of Bankruptcy, London, last ex.—**Edw. Pepper**, Threadneedle-street, London, licensed victualler, Nov. 7 at 12, Court of Bankruptcy, London, last ex.—**John Whitfield** and **George J. Whitfield**, Lamb's Conduit-st., Middlesex, cheesemongers, Nov. 7 at 1, Court of Bankruptcy, London, last ex.—**John Vevers**, Ironmonger-lane, London, woollen warehouseman, Nov. 13 at 11, Court of Bankruptcy, London, aud. ac.—**Joseph F. Freake**, Hampstead-street, Fitzroy-sq., Middlesex, licensed victualler, Nov. 3 at 12, Court of Bankruptcy, London, aud. ac.—**James Ballingall**, Edward-street, Portman-square, Middlesex, pianoforte maker, Nov. 3 at half-past 12, Court of Bankruptcy, London, aud. ac.—**Samuel Dixon**, Leeds, Yorkshire, draper, Nov. 3 at half-past 12, Court of Bankruptcy, London, aud. ac.—**Thomas Wakefield**, Cadogan-place, and Halkin-street, Chelsea, Middlesex, silk mercer, Nov. 1 at 1, Court of Bankruptcy, London, aud. ac.—**Thomas Allom**, Regent-street, Middlesex, bookseller, Nov. 1 at 1, Court of Bankruptcy, London, aud. ac.—**J. Graham**, Noble-street, London, warehouseman, Nov. 4 at 1, Court of Bankruptcy, London, aud. ac.—**R. D. Mercer**, Church-passage, Spital-square, Bishopsgate-street Without, Middlesex, silk merchant, Nov. 1 at 1, Court of Bankruptcy, London, aud. ac.—**Wm. R. Golder**, Folkestone, Kent, miller, Nov. 1 at 12, Court of Bankruptcy, London, aud. ac.—**Isaac Solly** and **Isaac Solly** the younger, St. Mary-axe, London, merchants, Nov. 11 at 12, Court of Bankruptcy, London, fin. div.—**George Gage Coldrey**, Lawrence-lane, London, merchant, Nov. 11 at half-past 11, Court of Bankruptcy, London, div.—**M. L. Bensusan**, **S. L. Bensusan**, **Jacob L. Bensusan**, and **Joshua Levy Bensusan**, Magdalen-row, Great Prescot-street, Goodman's-fields, Middlesex, merchants, Nov. 11 at 11, Court of Bankruptcy, London, div.—**Wm. Las**, Darlington, Durham, land surveyor, Nov. 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—**David Gideon**, Minories, London, and Uxbridge, Middlesex, clothier, Nov. 12 at 11, Court of Bankruptcy, London, div.—**J. N. Bateson**, Haworth-cross, Rochdale, Lancashire, cotton spinner, Nov. 13 at 12, District Court of Bankruptcy, Manchester, div.—**Michael Horan**, Bolton, Lancashire, grocer, Nov. 12 at 12, District Court of Bankruptcy, Manchester, fin. div.—**Samuel Armstrong**, Bolton-le-Moors, Lancashire, glass dealer, Nov. 11 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Raley Middlewood and **Allen Foster**, Leeds, Yorkshire, linendrapers, Nov. 12 at 11, Court of Bankruptcy, London.—**Henry A. Newman**, Jewry-street, Aldgate, London, and Church-street, Shoreditch, Middlesex, clothier, Nov. 12 at 1, Court of Bankruptcy, London.—**Wm. H. Luckins**, Kennington-row, Kennington, Surrey, coachmaker, Nov. 12 at half-past 11, Court of Bankruptcy, London.—**G. Small**, Folkestone, Kent, tailor, Nov. 12 at 2, Court of Bankruptcy, London.—**Jonas Walpole**, Northwold, Norfolk, money scrivener, Nov. 12 at 12, Court of Bankruptcy, London.—**Robert Summers**, Bath-street, City-road, Middlesex, pawnbroker, Nov. 12 at 2, Court of Bankruptcy, London.—**Thos. Wakefield**, Cadogan-place, and Halkin-street, Chelsea, Middlesex, silk mercer, Nov. 14 at 1; Court of Bankruptcy, London.—**Jos. Crawford**, Chalk Farm, Middlesex, tavern keeper, Nov. 14 at 11, Court of Bankruptcy, London.—**John Geo. Thomson**, Manchester, agent, Nov. 15 at 12, District Court of Bankruptcy, Manchester.

—**Wm. Whitehead**, Lancaster, cabinet maker, Nov. 12 at 12, District Court of Bankruptcy, Manchester.—**R. Brumwell**, Halifax, Yorkshire, draper, Nov. 12 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

John H. Hunt, Silver-street, London, warehouseman.—**Richard Jewesson**, (and not **Lewesson**, as before advertised), Great Winchester-street, London, merchant.—**D. Burberry**, Newdegate, Surrey, wood dealer.—**John Owen**, Welshpool, Montgomeryshire, flannel manufacturer.—**John Wm. Creed**, Tilbury Fort, Essex, innkeeper.—**Benj. John Benton**, White Horse-street, Stepney, Middlesex, corn merchant.—**Thomas Allom**, Regent-street, Middlesex, bookseller.—**C. P. Henville**, Seatown Mills, Chidcock, Dorsetshire, miller.—**John Steele**, Spotland-bridge, near Rochdale, Lancashire, brewer.—**Thos. Richardson**, Liverpool, cutler.—**Thomas Irlam** and **Vincent Wonostrocht**, Liverpool, brokers.

FIAT ANNULLED.

James Wm. Gordon, Cullum-st., Fenchurch-st., London, and Church-row, Limehouse, Middlesex, wine merchant.

PARTNERSHIPS DISSOLVED.

Thomas Chauntler and **Wm. Westwood**, (under the name of firm of Chauntler & Westwood), Gray's-inn-square, Middlesex, attorneys and solicitors.—**James Colquhoun** and **George Colquhoun**, Woolwich, Kent, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

David Stocks, deceased, Coilsfield Mains, Kilmarnock, Ayrshire, farmer.—**George Wilkie**, jun., Cowdenlaw, near Dysart, horse dealer.—**David Fyfe**, Dundee, draper.—**Wm. Allan**, jun., Edinburgh, wholesale provision merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Cornelius Fallows, Birmingham, general dealer, Nov. 8 at 10, County Court of Warwickshire, at Birmingham.—**Benj. Greaves**, Birmingham, greengrocer, Nov. 8 at 10, County Court of Warwickshire, at Birmingham.—**Adolphus Joseph Podewin**, Chorlton-upon-Medlock, Lancashire, teacher of languages, Oct. 31 at 12, County Court of Lancashire, at Manchester.—**Thomas Winkworth**, Winchester, Southampton, bricklayer, Oct. 27 at 10, County Court of Hampshire, at Winchester.—**Robt. John Day**, Maidstone, Kent, boot maker, Nov. 4 at 12, County Court of Kent, at Maidstone.—**Henry Pitt**, Hay, Brecknockshire, whitesmith, Oct. 29 at 10, County Court of Brecknockshire, at Hay.—**Charles Fewings**, Bristol, shoemaker, Dec. 3 at 11, County Court of Gloucestershire, at Bristol.—**Wm. Bateman**, Bristol, out of business, Dec. 3 at 11, County Court of Gloucestershire, at Bristol.—**Thomas Dilke**, Bristol, house painter, Nov. 12 at 11, County Court of Gloucestershire, at Bristol.—**Wm. Henry Hall**, Broombriggs, Woodhouse, Barrow-on-Soar, Leicestershire, farmer, Nov. 10 at 10, County Court of Leicestershire, at Loughborough.—**H. Walton**, Cheltenham, Gloucestershire, servant, Nov. 25 at 10, County Court of Gloucestershire, at Cheltenham.—**Edward Walton**, Cheltenham, Gloucestershire, out of employ, Nov. 25 at 10, County Court of Gloucestershire, at Cheltenham.

Saturday, Oct. 18.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Pierce O'Brien, Haril-st., Camberwell, Surrey, beer-shop keeper, No. 62,515 T.; **Henry Jenkins**, assignee.—**Richard Ayre**, Newcastle-upon-Tyne, agent, No. 74,089 C.; **John Berry**, assignee.

Saturday, Oct. 18.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Abraham Kell, Thames Ditton, Surrey, labourer: in the Gaol of Horsemore-lane.—**George Brettell**, Lansdown-villas, North-end, Fulham, Middlesex, house agent: in the Debtors Prison for London and Middlesex.

(On Creditors' Petition).

Samuel Slater, Princes-street, Hanover-square, Middlesex, tailor: in the Debtors Prison for London and Middlesex.

(On their own Petitions).

Thomas Files, Walcot, near Bath, Somersetshire, dealer in boots and shoes; in the Gaol of Wilton.—**William Lindsey**,

Liverpool, block and pump maker : in the Gaol of Lancaster.—*Alfred Thomas Wood*, Liverpool, Baptist missionary : in the Gaol of Lancaster.—*Wm. Jayes*, Ullesthorpe, Claybrook, Leicestershire, miller : in the Gaol of Coventry.—*W. Baker*, Henley Mills, Foleshill, near Coventry, Warwickshire, miller : in the Gaol of Coventry.—*Richard Chinn* the younger, Knowle, Warwickshire, fishmonger : in the Gaol of Coventry.—*Thomas Holland*, Minster Lovel, near Witney, Oxfordshire, bricklayer : in the Gaol of Oxford.—*Robt. Martin*, Romford Common, Essex, out of business : in the Gaol of Springfield.—*John Gathard*, Newland, Witney, Oxfordshire, tailor : in the Gaol of Oxford.—*William Hughes*, Rhyl, Flintshire, painter : in the Gaol of Flint.—*Joseph Swannell*, Fen Drayton, Cambridgeshire, butcher : in the Gaol of Cambridge.—*Samuel Pilling*, Ince, near Wigan, Lancashire, coal proprietor : in the Gaol of Lancaster.—*Edmund Bradley*, Cinderford, East Dean, Gloucestershire, out of business : in the Gaol of Gloucester.—*Alexander Hoatson*, Halifax, Yorkshire, corn dealer : in the Gaol of York.—*Stephen Clements*, Bristol, out of business : in the Gaol of Bristol.

(On Creditor's Petition).

Phabe Roper, spinster, Birmingham : in the Gaol of Warwick.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 4 at 11, before the CHIEF COMMISSIONER.

John Morton the younger, King Edward-street, Westminster-road, Surrey, clerk to a coal dealer.—*Benjamin Hope*, Ely-place, Holborn, Middlesex, attorney at law.—*Alfred Walker*, Southgate, Middlesex, gentleman.—*John Coldwell*, Hardwick-place, Commercial-road East, Middlesex, baker.—*William John Verity*, Greenwich, Kent, cheesemonger.—*Anselm Brown*, Westmoreland-place, City-road, Middlesex, manufacturing stationer.—*Charles Joseph*, Welbeck-street, Cavendish-square, Middlesex, artist.—*Henry Lack*, Underwood-street, Mile-end New-town, Middlesex, pig jobber.

Nov. 4 at 11, before Mr. Commissioner PHILLIPS.

Abraham Wilkinson, Notting-hill, Middlesex, bricklayer.—*William Henry Main*, Union-street, Middlesex Hospital, St. Marylebone, Middlesex, licensed victualler.—*William Job Liddington*, Upper Marylebone-street, Marylebone, Middlesex, pianoforte tuner.—*Charles Alexander Sinclair*, Bedford-square, Bloomsbury, Middlesex, captain in the Ross and Caithness militia.—*Charles Langford* the younger, Crescent-mews, Burton-crescent, St. Pancras, Middlesex, foreman to a cab proprietor.—*Daniel Edward Flynn*, Blackfriars-road, Surrey, tailor.

Nov. 5 at 11, before Mr. Commissioner PHILLIPS.

Frederick Fricker, Ledbury-road, Middlesex, tailor.—*James Dale*, Church-street, Old Kent-road, Christchurch, Camberwell, clerk.—*Lewis M'Bain*, Piccadilly, Middlesex, tailor.—*William Barrett*, Arundel Coffee-house, Strand, Middlesex, accountant.—*Geo. Newman*, Grove-road, St. John's-wood, Middlesex, stable keeper.—*Charles Fitzgerald Higgins*, Weymouth-street, Portland-place, Marylebone, Middlesex, following no trade.

Nov. 6 at 11, before Mr. Commissioner PHILLIPS.

Patrick Nagle, Burton-crescent, St. Pancras, Middlesex, out of business.—*William John Rye*, Bromley, Bow, Middlesex, painter.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Nov. 4, at 12.
William Wall, Chatham, out of business.

MEETING.

Noah Coward, Gunnis Lake, Calstock, Cornwall, speculator in mines, Nov. 7 at 11, Walker & Harrison's, Southampton-street, Bloomsbury, Middlesex, sp. aff.

FRIDAY, OCTOBER 24.

BANKRUPTS.

EDWARD EVANS, Paddington-green, Middlesex, nurseryman and florist, dealer and chapman, Nov. 4 at 12, and Dec. 1 at 11, Court of Bankruptcy, London : Off. Ass. Johnson ; Sols. Messrs. Linklater, Charlotte-row, Mansion-house ; Moss, 23, Moorgate-street.—Petition filed Oct. 24.

FRANK CASTELLI, Bury-court, St. Mary Axe, London, merchant, dealer and chapman, (carrying on business under the firm of Castelli, Giustiniani, & Co.), Nov. 7 at 11, and Dec. 9 at 12, Court of Bankruptcy, London : Off. Ass. Groom ; Sols. Oliverson & Lavie, 8, Frederick's-place, Old Jewry.—Petition filed Oct. 18.

HENRY BROOME, Haymarket, Middlesex, victualler, dealer and chapman, Nov. 4 at 1, and Dec. 9 at 11, Court of Bankruptcy, London : Off. Ass. Edwards ; Sols. Fisher & Cooke, 8, Gray's-inn-square.—Petition filed Oct. 18.

JAMES SOLEMEN DAVIS, Dalby-terrace, City-road, Middlesex, dealer in jewellery and watches, dealer and chapman, Nov. 11 at 1, and Dec. 2 at 11, Court of Bankruptcy, London : Off. Ass. Groom ; Sols. Van Landau & Cumming, 27, King-st., Cheapside.—Petition filed Oct. 24.

EDWARD WILLIAM CERRILL, Belle Vue Hill, Ramsgate, Kent, cabinet maker, upholder, furniture dealer, dealer and chapman, Nov. 11 at 2, and Dec. 2 at 12, Court of Bankruptcy, London : Off. Ass. Edwards ; Sols. Lewis & Lewis, 10, Ely-place, Holborn.—Petition filed Oct. 23.

WILLIAM THOMPSON ADCOCK, Manchester, hotel keeper, dealer and chapman, Nov. 7 and 21 (and not the 24th, as before advertised) at 12, District Court of Bankruptcy, Manchester : Off. Ass. Mackenzie ; Sols. Cooper & Son, and Street, Manchester.—Petition filed Oct. 4.

JOHN HOWARD, Macclesfield, Cheshire, silk manufacturer, (late carrying on business at Macclesfield with Edward William Jones, as silk manufacturers, under the firm of Howard & Jones), Nov. 7 and 28 at 12, District Court of Bankruptcy, Manchester : Off. Ass. Lee ; Sols. Brocklehurst & Bagshaw, Macclesfield ; Slater & Healis, Manchester.—Petition filed Oct. 17.

JOHN M'BURNIE, Exeter, draper and tea dealer, Nov. 5 and Dec. 2 at 1, District Court of Bankruptcy, Exeter : Off. Ass. Hirtzel ; Sols. Head & Venn, Exeter.—Petition filed Oct. 18.

JOHN CLARKE BEATON, Martock, Somersetshire, glover, dealer and chapman, Nov. 5 and Dec. 2 at 1, District Court of Bankruptcy, Exeter : Off. Ass. Hirtzel ; Sols. Brutton, Exeter ; Ring, 3, Barge-yard, Bucklersbury, London.—Petition filed Oct. 14.

EDWARD TEAGUE the younger, Little Dean, Woodside, East Dean, Gloucestershire, grocer and draper, Nov. 7 and Dec. 8 at 11, District Court of Bankruptcy, Bristol : Off. Ass. Hutton ; Sol. Smith, Newnham, Gloucestershire.—Petition filed Oct. 20.

MICHAEL LEES, Salterhebble, Halifax, Yorkshire, woollen manufacturer, (trading under the style or firm of Michael Lees & Co.), Nov. 10 and Dec. 2 at 12, District Court of Bankruptcy, Leeds : Off. Ass. Hope ; Sols. Craven & Ranken, Halifax ; Courtenay & Compton, Leeds ; Sawbridge, 120, Wood-street, Cheapside, London.—Petition dated Oct. 9.

JOHN YOUNG SMITH, Newcastle-upon-Tyne, ship and insurance broker, Nov. 4 and Dec. 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne : Off. Ass. Baker ; Sols. T. & W. Chater, Newcastle-upon-Tyne ; Bell & Co., 9, Bow-churchyard, Cheapside.—Petition filed Oct. 18.

MEETINGS.

Isaac Isaacs, Swan-st., Minories, London, jeweller, Nov. 7 at 11, Court of Bankruptcy, London, last ex.—*Francis Thompkins*, Sydney-st., Fulham-road, Middlesex, bill broker, Nov. 7 at 1, Court of Bankruptcy, London, aud. ac. ; Nov. 14 at 1, div.—*George King Matthews*, Paternoster-row, London, bookbinder, Nov. 7 at 12, Court of Bankruptcy, London, aud. ac.—*Owen Sparrow*, High-st., Aldgate, London, grocer, Nov. 8 at 1, Court of Bankruptcy, London, aud. ac.—*Thos. Burt*, High-st., Newington Butts, Surrey, grocer, Nov. 7 at 1, Court of Bankruptcy, London, aud. ac. ; Nov. 14 at 1, div.—*John Hine May*, Brecknock-terrace, Camden-down, Middlesex, draper, Nov. 7 at 1, Court of Bankruptcy, London, aud. ac.—*Henry Morgan Godwin* and *Charles Lee*, Bishopsgate-st. Within, London, ship owners, Nov. 6 at 1, Court of Bankruptcy, London, aud. ac. ; Nov. 14 at half-past 12, div.—*John Francheiss*, Portsea and Landport, Southampton, woollendrapers, Nov. 6 at 12, Court of Bankruptcy, London, aud. ac.—*George Courthope*, Paradise-row, Rotherhithe, Surrey, coal merchant, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Watson*, Salisbury-court, Fleet-st., London, licensed victualler, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.—*John Murray*, Sheerness, Isle of

Sheppy, Kent, builder, Nov. 6 at 1, Court of Bankruptcy, London, and. ac.; Nov. 14 at 11, div.—*Friedrich Ernst Daniel Hasi*, Aldermanbury, London, merchant, Nov. 6 at 11, Court of Bankruptcy, London, and. ac.; Nov. 14 at 11, div.—*Robert Croom*, Downend, Mangotsfield, Gloucestershire, butcher, Nov. 7 at 11, District Court of Bankruptcy, Bristol, and. ac.; Nov. 17 at 11, div.—*Wm. Las*, Darlington, Durham, land surveyor, Nov. 11 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*John Frederick Brett*, Gateshead, Durham, tailor, Nov. 18 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Nov. 20 at 12, fin. div.—*Wm. Thompson*, Newcastle-upon-Tyne, grocer, Nov. 18 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Nov. 20 at 11, fin. div.—*John Nurthing Bateson*, Rochdale, Lancashire, cotton spinner, Nov. 7 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Samuel Joule and John Joule*, Macclesfield and Rainow, Cheshire, ribbon manufacturers, Nov. 3 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Charles Evans*, Manchester, banker, Nov. 10 at 12, District Court of Bankruptcy, Manchester, and. ac.; Nov. 17 at 12, fin. div.—*Michael Horan*, Bolton, Lancashire, grocer, Nov. 5 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Saml. Armstrong*, Bolton-le-Moors, Lancashire, glass dealer, Nov. 4 at 12, District Court of Bankruptcy, Manchester, and. ac.—*Benj. Whittaker and John Fullalove*, Ancoats, Manchester, manufacturers, Nov. 10 at 12, District Court of Bankruptcy, Manchester, and. ac.; Nov. 17 at 12, div.—*James Kite*, Crewkerne, Somersetshire, wine merchant, Nov. 13 at 1, District Court of Bankruptcy, Exeter, and. ac.; Nov. 19 at 1, div.—*Thos. Davey*, Liskeard, Cornwall, seedsman, Nov. 12 at 1, District Court of Bankruptcy, Exeter, and. ac.—*Sydenham Vincent Burge*, Taunton, Somersetshire, saddler, Nov. 12 at 1, District Court of Bankruptcy, Exeter, and. ac.; Nov. 19 at 1, div.—*Henry Philip Gilbert*, Plymouth, Devonshire, carpenter, Nov. 20 at 11, District Court of Bankruptcy, Plymouth, and. ac.—*Ferdinand Christian Veith*, Kingston-upon-Hull, merchant, Nov. 19 at 1, District Court of Bankruptcy, Kingston-upon-Hull, and. ac. and div.—*Samuel France*, Bradford, Yorkshire, grocer, Nov. 10 at 11, District Court of Bankruptcy, Leeds, and. ac.; Nov. 17 at 11, div.—*Edward John Scott* the elder, Kingston-upon-Hull, paper stainer, Nov. 19 at 1, District Court of Bankruptcy, Kingston-upon-Hull, and. ac. and div.—*Jonathan Higginson and Richard Deane*, Liverpool, merchants, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, and. ac. joint est. and sep. est.—*Hugh Hughes*, Portmadoc, Carnarvonshire, ship owner, Nov. 6 at 11, District Court of Bankruptcy, Liverpool, and. ac.—*J. Wilkinson*, Nottingham, brace manufacturer, Nov. 7 at 10, District Court of Bankruptcy, Nottingham, and. ac.—*P. Harris*, Leominster, Herefordshire, cattle dealer, Nov. 19 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Charles Forster Cotterill and William Henry Hill*, Walsall, Staffordshire, merchants, Nov. 25 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Geo. Thos. Rollason*, Birmingham, china dealer, and *George James Rollason*, Birmingham, brass founder, Nov. 26 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac., and Nov. 27 at half-past 11, div. sep. est. of *Geo. Thos. Rollason*; Nov. 27 at half-past 11, and. ac. joint est.—*Gilbert Brown*, Shifnal, Shropshire, money scrivener, Nov. 11 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Thomas John King*, Stourport, Worcestershire, innkeeper, Nov. 11 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*Joseph Worsey and James Biggs*, Aston, near Birmingham, wire manufacturers, Nov. 18 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.; Nov. 25 at half-past 11, fin. div.—*John Pearson*, Kingswinford, Staffordshire, maltster, Nov. 12 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*S. Edw. Robt. Jones*, Wrockwardine, Shropshire, apothecary, Nov. 19 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—*J. Teece and Thos. Peate*, Oswestry, Shropshire, drapers, Nov. 19 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.; Nov. 26 at half-past 11, div.—*Wm. Richards* the younger, Wednesbury, Staffordshire, coachsmith, Nov. 19 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.; Nov. 26 at half-past 11, div.—*John Matthews and John Martin*, Chichester-place, King's-cross, Middlesex, drapers, Nov. 18 at 11, Court of Bankruptcy, London, div.—*Henry Shaw*, Gerard-st., Islington, and Southampton-row, Russell-

square, and Sloane-street, Chelsea, Middlesex, china dealer, Nov. 18 at 12, Court of Bankruptcy, London, div.—*W. Stanton*, Buckingham, watchmaker, Nov. 18 at 1, Court of Bankruptcy, London, div.—*J. H. Brownlie*, Richmond-st., Princess-street, St. James's, Middlesex, cabinetmaker, Nov. 18 at half-past 12, Court of Bankruptcy, London, div.—*Chas. Penfold*, Arundel, Sussex, ironmonger, Nov. 18 at 2, Court of Bankruptcy, London, div.—*H. A. Newman*, Jewry-st., Aldgate, London, and Church-street, Shoreditch, Middlesex, clothier, Nov. 14 at 2, Court of Bankruptcy, London, div.—*Charles Edmonds*, Strand, Middlesex, bookseller, Nov. 14 at 12, Court of Bankruptcy, London, fin. div.—*Wm. Jos. Joyner*, Aveley, Essex, manufacturer of agricultural machines, Nov. 14 at 12, Court of Bankruptcy, London, div.—*Benj. Bevil and Capel Hanbury*, Catherine-court, Tower-hill, London, cornfactors, Nov. 14 at half-past 11, Court of Bankruptcy, London, fin. div.—*Robt. K. Aitchison*, Great Windmill-st., Haymarket, Middlesex, wine merchant, Nov. 14 at half-past 11, Court of Bankruptcy, London, fin. div.—*Rick. Dert and Jos. Brown*, Bedford-street, Covent-garden, Middlesex, coach lace manufacturers, Nov. 14 at 12, Court of Bankruptcy, London, div.—*Martin Nason*, Regent-circus, Oxford-street, Middlesex, childbed-linen warehouseman, Nov. 15 at 11, Court of Bankruptcy, London, fin. div.—*Wm. Storrer*, Southampton, upholsterer, Nov. 14 at 11, Court of Bankruptcy, London, div.—*L. Alexander and Wm. Bardgett*, Old Broad-st., London, merchants, Nov. 15 at 11, Court of Bankruptcy, London, div.—*John White* the younger, Bishop Wearmouth, Durham, iron-founder, Nov. 20 at half-past 1, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Ebenezer Lake*, Okehampton, Devonshire, druggist, Nov. 19 at 1, District Court of Bankruptcy, Exeter, div.—*John Alexander*, Pendleton, Lancashire, common brewer, Nov. 14 at 12, District Court of Bankruptcy, Manchester, div.—*John Sharples* the elder and *John Sharples* the younger, Daisyfield, near Blackburn, Lancashire, cotton spinners, Nov. 14 at 12, District Court of Bankruptcy, Manchester, div. sep. est. of *John Sharples* the younger.—*James Andrew*, Dean Water, Prestbury, Cheshire, and Manchester, calico printer, Nov. 14 at 12, District Court of Bankruptcy, Manchester, div.—*William B. Price and J. Edwards*, Shrewsbury, Shropshire, bankers, Nov. 17 at half-past 10, District Court of Bankruptcy, Birmingham, div. sep. est. of *John Edwards*.—*Charles Collins and George Talbot Rose*, Bewdley, and Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturers, Nov. 26 at half-past 11, District Court of Bankruptcy, Birmingham, div. sep. est. of *G. T. Rose*.—*Joe. H. Hurley*, West Bromwich, Staffordshire, draper, Nov. 26 at half-past 11, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Samuel Ratliff, Aldham, Suffolk, miller, Nov. 14 at 1, Court of Bankruptcy, London.—*John B. Philip, John Rich. Clayton, Edw. A. Wynne, and John Lumsden*, East-street, Manchester-square, Middlesex, builders, Nov. 14 at 12, Court of Bankruptcy, London.—*John Lilley and Alfred Ashmall*, Liverpool, merchants, Nov. 14 at 11, District Court of Bankruptcy, Liverpool.—*William Wilson*, Bristol, linendraper, Nov. 19 at 11, District Court of Bankruptcy, Bristol.—*Samuel Berry*, Barnstaple, Devonshire, grocer, Nov. 18 at 1, District Court of Bankruptcy, Exeter.—*Thomas Milsard*, Uffculme, Devonshire, miller, Nov. 18 at 1, District Court of Bankruptcy, Exeter.—*Betsy Daw*, Lumborn-mills, near Tavistock, Devonshire, miller, Nov. 20 at 11, District Court of Bankruptcy, Exeter.—*William Coleman*, Coventry, chemist, Nov. 18 at 12, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Elizabeth Thompson, Reading, Berkshire, brushmaker.—*William Williams*, Ashford, Kent, builder.—*Henry Coste*, Birmingham, draper.

SCOTCH SEQUESTRATIONS.

James Biggar, Maryholm, Terregles, Kirkcudbright, commission agent.—*James Fulton Harvie*, Dumbarton, apothecary.—*Thos. Gilbert*, Edinburgh, tailor.—*Alexander Stuart*, Glasgow, oil merchant.—*John Howieson*, Holytown, Bothwell, Lanarkshire, fletcher.—*Robert Barr & Co.*, Glasgow, soap manufacturers.—*Alexander Kinmond and John Hill*, Dundee, merchants.—*William Allan & Sons*, Glasgow, provision merchants.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Tarratt, Leicester, licensed victualler, Nov. 12 at 10, County Court of Leicestershire, at Leicester.—**Thomas Baum**, Great Wigton, Leicestershire, butcher, Nov. 12 at 10, County Court of Leicestershire, at Leicester.—**Charles Robert Bester**, Ipswich, Suffolk, accountant, Nov. 7 at 10, County Court of Suffolk, at Ipswich.—**James Ling**, Crowfield, Suffolk, shoemaker, Nov. 7 at 10, County Court of Suffolk, at Ipswich.—**William Clay**, Gloucester, carrier by water, Nov. 27 at 10, County Court of Gloucestershire, at Gloucester.—**William Jutson**, Bampton, Devonshire, grocer, Nov. 13 at 10, County Court of Devonshire, at Tiverton.—**Stephen Hugo**, Penzance, Cornwall, stationer, Nov. 12 at 10, County Court of Cornwall, at Penzance.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 7 at 11, before the CHIEF COMMISSIONER.

James Drysdale Malcolm, Leicester-square, Middlesex, lecturer.—**William Henry Meek**, Brick-lane, Old-street, St. Luke's, Middlesex, silversmith.—**Walter Whitehead**, Chatham, Kent, saddler.

Nov. 7 at 10, before Mr. Commissioner LAW.

Thomas Pitkin, John-street, Portland-town, Middlesex, milkman.—**Charles William Dexter**, Duke-street, West Smithfield, London, braccemaker.

Nov. 7 at 11, before the CHIEF COMMISSIONER.

Adjourned Case.

Edward Richards, Hyde-terrace, Bridge-road, Battersea, Surrey, not in any business.

Nov. 7 at 10, before Mr. Commissioner LAW.

Adjourned Case.

Thomas Fuller, Chatham-place, Windmill-lane, Camberwell, Surrey, salesman to a leather seller.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Michael Alexander Gage, Liverpool, civil engineer, No. 74, 251; **Peter Laurie MacTaggart**, assignee.—**James Bedale**, Manchester, baker, No. 74, 145; **Charles Ashmore**, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Nov. 7 at 11.

John Joseph Blake, Liverpool, gentleman.—**Cornelius Tomlinson**, Salford, bricklayer.—**James Corrigan**, Liverpool, owner of the barque Saxon.—**Joseph Sharrod**, Liverpool, out of business.—**Alfred Thomas Wood**, Liverpool, missionary.—**Samuel Pilling**, Ince, near Wigan, coal proprietor.

The Queen has been pleased to direct letters-patent to be passed under the Great Seal of the United Kingdom, granting the office of Vice-Chancellors unto **Richard Torin Kinderley**, Esq., and **James Parker**, Esq.

The Queen has been pleased to appoint **Joseph Hensley**, Esq., to be her Majesty's Solicitor-General for Prince Edward Island.

Just published, in royal 8vo., price 10s. 6d. boards, **SELECT CASES in the COURT of CHANCERY**, from the Year 1724 to 1733. Second Edition, with Notes. By **STUART MACNAGHTEN**, Barrister at Law.

"This is a useful volume, upon the plan of Smith's Leading Cases. A case is taken, which expounds some leading principle of equity; to this Mr. Macnaghten has appended a note, in which he collects the subsequent cases, that shew the application to particular circumstances of the principle determined in the leading case—in fact, the expansion of the law; its growth thenceforward down to the present time. There is no method so apt as this for acquiring a scientific knowledge of the law; and therefore we recommend every law student to peruse the volume before us with profound attention. It will help to lay a solid foundation of law to him which will be of infinite service in his after studies and practice."—*Law Times*, Dec. 14, 1850.

"These are the sort of reports we wish to encourage. This volume has been very judiciously selected from heaps of rubbish, a notice not only of old cases, but of new ones, which are really useful to the Profession. The notes are after the fashion of Smith's Leading Cases, and they are tersely and ably written."—*Law Magazine*, Feb. 1851.

London: Stevens & Norton.

Just published, 8vo., price 6d.,

SUGGESTIONS OFFERED to those INTERESTED in the REFORM of the LAW. By **WILLIAM SCROPE AYRTON**, Esq., F.S.A., one of the Commissioners of her Majesty's Court of Bankruptcy.

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EAGLE INSURANCE COMPANY.—London, August 8, 1851.—At the ANNUAL GENERAL MEETING of PROPRIETORS held this day,

The Hon. **JOHN CHETWIND TALBOT**, Q. C., the Chairman of the Company, in the Chair,

A Report was read, from which it appeared—
That the Income of the Company for the year ending June 30, 1851, was £140,338 1 0
The Premium on Policies issued in the year. 5,399 13 9
The Claims on decease of Lives assured. 83,691 1 9
The Expenses. 5,686 5 0
The Total Assets of the Company. 704,010 14 0
The Report entered into further details, and finished by stating that the Directors felt it unnecessary to dwell further upon the items of the year's account, as the quinquennial valuation to be made in June next was so near.

The Report was unanimously adopted, and some routine business having been disposed of, the thanks of the meeting were very cordially voted to the Chairman, Directors, and officers of the Company, when the meeting separated.

The Premiums required by this Company are very moderate, and moreover are accurately adjusted.

The Assured of the participating class share the whole surplus, less 20l. per cent. only.

The Lives assured may travel and live in any part of the globe, not within thirty-three degrees of the equator, without extra charge.

Transfers are registered, and assignments may be effected on forms supplied by the Company; and in all particulars the interests of the assured are carefully consulted.

3, Crescent, New Bridge-street, Blackfriars, September, 1851.

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COMMON LAW AND CRIMINAL LAW LECTURES, by HENRY JOHN HODGSON, Esq., Barrister-at-Law.

1. The Law of Insurance. (Arnould on Insurance).—2. The Lands Clauses Consolidation Act, 8 Vict. c. 18, and the Decisions thereon. (Collier's Lands Clauses Consolidation Act).—3. Some of the leading Principles of the Law of Evidence, with reference especially to the alterations effected by the Act to amend the Law of Evidence, 14 & 15 Vict. c. 99. (Phillips on Evidence).—4. The Act for the Improvement of the Administration of Criminal Justice, 14 & 15 Vict. c. 100.—5. The Apprentices and Servants Act, 14 Vict. c. 11; the Prevention of Offences Act, 14 & 15 Vict. c. 19.

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Law Society's Hall, October, 1851.

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ARTHUR H. CLOUGH, A.M., Dean of the Faculty of Arts and Laws.

CHARLES C. ATKINSON, Secretary to the Council.
October, 1851.

Just published, price 4s., 12mo., boards,
THE EQUITY STATUTES OF 1851; being an Analysis of, and Observations on, the Chancery Court of Appeal Act, and the Law of Evidence Act. By WILLIAM HEMMINGES, Esq., of the Middle Temple, Barrister at Law.

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LONDON, NOVEMBER 1, 1851.

THE Act to amend the Law of Evidence, 14 & 15 Vict. c. 99, comes into operation this day, and it will probably work a greater change in the administration of justice than has been effected by any statute since the passing of the County Court Act. Already its results are being felt, in causing suitors to resort to the superior rather than to the county courts, and in substituting the summons for inspection in the place of the bill for a discovery.

Under the 2nd section, parties to an action &c., or those on whose behalf it is brought or defended, are not only competent, but compellable, to give evidence either for or against themselves; therefore the plaintiff or defendant may not only tender himself as a witness, but may be subpoenaed and compelled to give evidence by the other party. In the latter event, which will probably but seldom occur, we presume that he will be considered the witness of the party calling him, and may be cross-examined with leading questions by his own counsel. Probably, however, before he has proceeded far in his evidence in chief, he will be deemed to be a witness hostile to the party calling him, and may, therefore, also be subjected to leading questions from the counsel of such party.

The next section excepts from the operation of the act persons charged with a criminal offence, and husbands and wives as witnesses for or against each other, and declares that the provisions of the act shall not render any person compellable or competent to answer any question tending to criminate himself. A tacit condemnation of the power given by the County Court Act, 9 & 10 Vict. c. 95, s. 83, to compel husband and wife to give evidence for or against each other, is involved in the adoption of a different rule by this statute, which, however, does not repeal the County Court Act in this respect, as the words of the present act are, "nothing herein contained shall render any husband competent

or compellable to give evidence for or against his wife," &c.

With regard to self-criminating evidence, the section relating to it will doubtless be construed so as to protect the witness from being compelled to answer any question that may subject him to a penalty or forfeiture. (See Tayl. Evid. 969).

Proceedings in consequence of adultery, and actions for breach of promise of marriage, are exempted from the act, (sect. 4), but not actions for seduction. In the last-named class of actions, it is well known that the real plaintiff, the person seduced, was allowed to give evidence, because the parent, or person filling the relation of master, would be the nominal plaintiff, while the unfortunate defendant could not be heard on his own behalf. The Wills Act is not to be affected by the present statute, (sect. 5). In all legal proceedings in the *superior courts* inspection of documents in the custody or under the control of the opposite party, relating to such legal proceedings, may be obtained by rule or summons, wherever a discovery could have been obtained by filing a bill in a court of equity, (sect. 6). It may be here useful to refer to the following passage in Taylor on Evidence, pp. 1177—1180:—

"It may be generally observed, that while Courts of equity recognise no distinction between public and private documents, or between deeds and other less formal writings, they will compel discovery in aid of civil rights only; and therefore, unless the defendant waives the objection to their authority, they will never enforce an inspection of documents to aid either the prosecution of, or the defence to, an indictment or information. Neither will a Court of equity interfere any more than a Court of law, where the discovery sought would subject the defendant to any criminal proceeding, penalty, or forfeiture, or would violate the rules which relate to professional privilege. Subject to these exceptions, any party to an action at law, whether he be plaintiff or defendant, is entitled in equity to exact

from his opponent a discovery of the evidences, and therefore to inspect and take copies of the writings which relate either to his case alone, or to his case as well as that of his opponent; but he has no right whatever to a discovery of the evidences, or to an inspection of the writings, which either relate exclusively to his adversary's case, or are not material to the issues about to be tried at law.

"As, in all cases where a discovery of the contents of papers is prayed, the onus is upon the plaintiff to prove his right thereto, and the only evidence on which he can rely is the defendant's admission, it follows that a Court of equity will not make an order for inspection of documents unless the plaintiff can shew from the defendant's answer, or from his affidavit in the nature of a supplemental answer, first, that the writings in question are in the possession or power of the defendant; and next, that they are relevant to his own case; or, in other words, that he has an interest in their production, for the purpose of the trial about to take place, either as affording affirmative evidence of some right or title belonging to him, or as tending to disprove the title or case of his opponent, by shewing some specific defect therein.

"Though the Court will consider all documents to be in the defendant's power which he admits to be in the hands of his *agent*, or of any other person under his *control*, it will not in general order the production of papers where it appears, by the defendant's answer, that he has a joint possession of them with somebody else, who is not before the Court. But in these cases the plaintiff may either make all the parties interested parties to the suit, or he may compel the defendant to furnish in his answer a full discovery of the contents of these documents; and should he adopt this latter course, and should the papers be in the custody of some person who holds them for the defendant and the other parties interested, the defendant may still answer the interrogatories respecting their contents; for every defendant is bound to inspect and answer as to the contents of all documents that are in his possession or power; and all which he has a *right* to inspect, provided he can enforce that right, are in his *power*. We may add, that no valid objection can be taken to an order for the production of memoranda which are admitted by the defendant to relate to the matters in dispute, and to be in his possession, on the ground that they are intermingled with other entries in the same book, to a discovery of which the plaintiff is not entitled, and which cannot be separated or sealed up."

Acts of any foreign state or British colony, and judicial proceedings in any court of justice therein, may be proved by an examined or authenticated copy. The authenticated copy, in the case of acts of state, must purport to bear the seal of the state or colony; in the case of judicial proceedings, they must purport to bear the seal of the Court, or, in the event of there not being a seal, to be signed by the judge or one of the judges thereof, who must state in writing on the copy that the Court has no seal. The mere production of such copy will be sufficient evidence of its contents, (sect. 7). An apothecary's certificate, purporting to be under the common seal of the Apothecaries Company, shall be received in evidence, (sect. 8). (See Tayl. Evid. 13).

Documents admissible in our courts without proof of seal, stamp, or signature, or of the judicial or official character of the person appearing to have signed the same, are to be admitted in Ireland, and vice versa, (sects. 9, 10), and also in the British colonies, (sect. 11). Registers of British vessels may be proved by the production of the original or an examined copy, or a copy purporting to be certified under the hand of the person having the charge of the original, (sect. 12). Whenever it is necessary to prove the trial and conviction or acquittal of any person charged with an indictable offence, neither the record, nor a copy thereof, need be produced; but it shall be sufficient if it purport to be certified under the hand of the clerk of the court, or other officer having custody of the record, or his deputy, that the paper produced is a copy of the record, omitting the formal parts thereof, (sect. 13). (See also the 14 & 15 Vict. c. 19, s. 2, and the 14 & 15 Vict. c. 100, s. 22).

The 14th is an important section, by which, whenever any book or other document is of such a public nature as to be admissible on mere production from its proper custody, and no statute exists which renders its contents proveable by means of a copy, any copy thereof or extract therefrom shall be admissible, if proved to be an examined copy or extract, or if it purport to be signed and certified as a true copy or extract by the officer to whose custody the original document is intrusted.

Every person, arbitrator, &c., having, by law or consent of parties, authority to receive evidence, may administer an oath to the witnesses, (sect. 16); which will meet the case of *Reg. v. Hallett*, (15 Jur., part 1, p. 433), in which it was held, that an arbitrator appointed under the County Court Act had no power to administer an oath to a witness; and, therefore, that the latter could not be indicted for perjury in his evidence given on the arbitration.

Provision is then made in the act for enabling parties to obtain certified copies, &c., which are rendered admissible in evidence, and for preventing false copies, &c. from being made, (sects. 12, 14, 15, 17).

PROBABLY most of our readers are aware of the clause which many railway companies have lately been in the habit of placing at the head of their printed time tables, to the effect that the company will not be responsible for the trains arriving at the times fixed in the tables, or for any loss or damage which may be incurred by their not so arriving. As these publicly promulgated time tables are, in effect, a sort of general contract with the public, and as their effect is very important, we may usefully address to our readers some observations upon their construction.

The idea under which the companies have issued these notices has no doubt been, that, whatever may be the responsibility which they *prima facie* undertake by their time tables, they can, by a simple declaration that they will not be bound, free themselves from being so bound; and no doubt time tables might be so framed as to have that effect. But the question is, whether, in the way in which they are framed, they have such effect. Now, the printed time tables of railway companies are, in effect, a contract between the

company and the passengers. The company binds itself to do what it states in the time table it will do; and the passenger, having paid his fare, accepts that contract both for good and for evil.

Let us, then, see how these contracts are worded. They state, in the part properly called the time table, not merely that the trains are *intended*, if possible, to start and to arrive at given times, but *positively* that the hour of departure is such, and the hour of arrival is such. If the contract rested here, there could be no doubt about its construction; it is a positive contract to do a given act at a given time; and as, in such matters, beyond all question, time is of the essence of the contract, there can be no doubt, that, under it, the party breaking his contract would be liable in damages. Does, then, the simple addition to this contract, of a proviso that the company will not be bound by it, have the effect of giving them perfect freedom from its terms? We conceive this to be very doubtful indeed. To read it so would be to make, in effect, nonsense of it. It would be to construe a contract as saying, "one of the parties undertakes to do, and yet does not undertake to do, a specific thing." If, indeed, the time table stated that the trains were *intended* or *expected* to arrive at certain hours, then it may be that the clause declaring the non-responsibility of the company would take effect, because it would be not inconsistent with the time table. But a declaration that the company will not be responsible for the arrival of trains, if full effect be given to it, is utterly and totally inconsistent with the undertaking afforded, by the tables, that they shall arrive at given hours. The question is, therefore, do the contradictory terms of the two branches of the contract render it wholly void for uncertainty? or, if not, then which of the two branches is to be treated as expressing the principal intention of the parties, and to which is only a qualified effect to be given?

To hold the whole contract as void for uncertainty would be clearly doing violence to the intention of both parties, who certainly intended to enter into some agreement as to the work to be done, and the price to be paid for it; and such a construction would certainly not be adopted if the contradictory clauses can be at all reconciled. To construe the proviso as overriding and extinguishing the positive language of the time table, (which is obviously a simple nullity, if the language of the proviso is read in its widest sense), would be contrary to all rules of legal construction, as well as of common sense, it being a settled rule to give effect to a positive declaration, rather than to a qualification of it, if the two cannot stand together. And the result is, as we conceive, that, in putting a construction upon the whole of these contracts, a Court of law would either treat the proviso as altogether surplusage, or hold it, at any rate, as having no greater effect than to import, in terms, into the contract, that which, in fact, would be implied in law, viz. a proviso that the contract shall receive a reasonable, and not a strictly literal construction.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Henry Gray Brydone, Gent., of Petworth, Sussex, to be a Master Extraordinary in the High Court of Chancery.

Reviews.

A Treatise on the Law of Property, as administered by the House of Lords. By Sir EDWARD SUGDEN. Royal 8vo., pp. 808. [Sweet.]

A Concise and Practical View of the Law of Vendors and Purchasers of Estates. By Sir EDWARD SUGDEN. 8vo., pp. 798.

If we might venture to speculate on the motives which have urged the learned and indefatigable author to the production of these two works, we should surmise that neither of them is entirely due to the attractiveness of the subject, though in each, and especially in the first, there are signs that the task, once entered upon, has been pursued as a labour of love. If, therefore, we owe to Lord Brougham's judgments in the House of Lords on some of the appeal cases from Ireland the *Treatise on the Law of Property*, and to Mr. Dart's Compendium of the Law of Vendors and Purchasers the "*Concise and Practical View*," we may thank those two individuals for two more valuable contributions to legal literature than their own pens could ever have produced.

The design of the first-mentioned work is thus explained by the author:—

"This work is the first attempt which has been made to embody, in the form of a treatise, the decisions of the House of Lords upon the law of property. In the execution of this task the writer has been led to review with much care many decisions of great importance: he has endeavoured to fix his attention wholly on the point of law under consideration, lest the respect and deference due to the authority and learning of the eminent persons who have successively directed or influenced the opinions of the Lords should warp his judgment, and prevent him from freely examining the grounds of their decisions. He considers his observations simply as materials for thinking; the errors into which he has fallen will, no doubt, readily be detected, and the reader will not fail to give to the judgments observed upon all the weight which, but for the object in view, no one would more willingly have accorded to them than the writer.

"The subjects are thus classed:—first, are the cases on contract, deeds, and settlements; secondly, those on testamentary dispositions—an important division; thirdly, the cases on powers, which are common to dispositions as well by deed as by will; and, finally, the authorities bearing upon particular classes—as lessors and lessees, mortgagors and mortgagees, vendors and purchasers. The decisions on the law of husband and wife are ranged under the head of settlements. The writer has endeavoured, by an accurate and simple arrangement of the *material* facts of each case, to enable the reader with facility to comprehend the real question at issue.

"The writer had at his command some materials which have greatly aided him in a portion of his work. Whilst at the bar he retained all the printed cases in appeals in which he was counsel, with his own notes and the notes of the arguments. From this source principally he has been enabled to add the cases not at present reported between 1821 and 1826. Where a case which he argued is not reported elsewhere, or the reports of it do not state by whom it was argued, the fact that he was one of the counsel is mentioned, as an intimation that the writer possessed means of knowledge beyond the mere printed case, or besides the report. The work includes all the cases decided during the last thirty-five years, including those of the last session. The latter were stated from the reports in the courts below, from the printed cases in the House of Lords, and from papers furnished to the writer.

'Some of the recent cases have been since reported by the regular reporters of the House.

"The introductory chapter may interest the general reader; in it is traced the jurisdiction of the House of Lords on appeals and writs of error, with a statement of the objections to the present mode of adjudicating on appeals, and with a statement of the several plans submitted to Parliament for the improvement of the jurisdiction."

The House of Lords cases are of the greatest importance, as constituting the ultimate authoritative decisions on the points of law involved in them, but the perusal of them is little calculated to inspire respect for the tribunal. The fundamental absurdity in the principle of this Court of last appeal, frequently brought into high relief by the incapacity of the advising peer or peers, seems to have had a paralysing influence even on the highest judicial minds, for certain it is that no law lord has added to his reputation by his judgments in the House of Lords. Even the reporters seem to have caught the infection, for no reports are so tedious*, dull, flat, and unprofitable as those of the House of Lords cases. If Sir Edward Sugden had confined himself, in this volume, to a clear and accurate statement of all the material facts and the decision in each case on the law of property contained in the thirty-six volumes of Dow, Bligh, and Clark & Finnelly, and in the many cases of that period which have not hitherto been reported, he would have done good service. But he has done much more than this. He has made of them pegs whereon to hang instructive dissertations on an immense variety of recondite questions on the law of property; he has criticised the decisions, if not always to the satisfaction, yet at least to the edification of his reader; in short, he has taken, with his reader, from these apices legis, a series of bird's-eye surveys of its various departments. The volume invites criticism, but we have space only for a simple extract, on a point decided under the old law of wills, but of equal importance with reference to the existing law.

"In the case of *Shepherd v. Knollys* (printed case, D. P., 1824; 1 J. & W. 499, cited; see 1 Vict. c. 26) it was held that a devise of an estate contracted to be sold passed only the legal estate, and not the beneficial interest. Mr. Knollys was seised in fee of several estates subject to mortgages, and he had contracted to sell one of them for upwards of 13,000*l.*, but which contract was not completed in his lifetime. By his will he gave to his dear wife his freehold estate, which he had lately contracted to sell to Sir Thomas Metcalfe, together with the lands &c. thereunto belonging, to hold to her, her heirs and assigns for ever; and he gave to his said dear wife all and singular his personal estate and effects, of whatever nature the same might be, subject to the payment of all his debts and funeral expenses, and to his legacies. The question was whether this was a specific legacy to the wife of the purchase money of the estate; or, in other words, whether the wife took the beneficial interest in the estate, subject to the contract, which became material, with a view to the payment of mortgage debts. Lord Eldon held that it was not a specific legacy, and that it was nothing more than a devise of the legal estate, to enable her to carry the contract into execution; he thought it a disposition of the legal, but not of the

beneficial estate; and upon an appeal to the House of Lords that decision was affirmed, with 100*l.* costs. I was of counsel for the respondent, but I never could reconcile my mind to the decision. The testator, by the very terms of the gift, meant a benefit to her whom he called his dear wife: no intention was manifested to make her a simple trustee. The words of the gift were ample to pass both the legal and beneficial interest, subject only to the contract, which bound both, and which, if completed, would give the widow an equivalent for the estate. If the contract had failed, the decision would have led to great difficulty. The subsequent gift of all the personal estate to his wife rather bears against the construction adopted; for, as the testator intended her to have all his personalty, there was no reason why the right to the purchase money should not pass by the gift of the estate itself. The testator shewed no intention to charge this estate, or the produce of it, with his debts. And the other portions of the will, I may observe, tended to prove that he had no such intention. The decision, acting upon the rule of equity as to conversion of property by a contract for sale, put a technical construction upon the devise not warranted by any rule, and not supported by the testator's intention. Lord Redesdale, who concurred with Lord Eldon in affirming the decision, said that at first he had thought it erroneous; and it was manifest that such was his impression during the argument." (P. 223).

Whether the entering the lists against such a rival as Mr. Dart was worthy of the dignity of Sir Edward Sugden, or of an author whose work had reached eleven editions, may be doubtful; but certainly Mr. Dart deserves the punishment he has received. The idea of producing a compact Compendium of the Law of Sales was a good one, and if it had been carried out in the same fair spirit of rivalry in which Mr. Chance wrote his very able and learned Treatise on Powers, (but with a cooler temper), the new work might have been successful, and would at least have been creditable to its author. But when we find, first, a title alarmingly like that of Sir Edward Sugden's large work; then a preface from which no one would infer that any treatise at all on the subject, or at least anything but a "mere elementary outline, or a mere index of cases," was in existence; and lastly, a compendium, in which almost every page contains a reference to the treatise ignored in the preface for some opinion or rule of practice, for which, as he cannot trace it back to any reported case, the compiler is obliged to acknowledge his obligation to the very author whom he is attempting to supersede; we can see nothing but a mere mercantile speculation, based on a just appreciation of the value of Sir Edward Sugden's treatise as a piece of literary property, and in the conduct of which the compiler seems to have paid fully as much attention to the law of copyright as to that of real property.

But whatever may be Mr. Dart's merits in this matter, we cannot regret the publication of his book, since it has called into existence the "Concise and Practical View," in which the omission of the learned discussions and digressions contained in the larger work is amply compensated by improvements, which render the work much more available for daily use and reference. The "Concise View" is not unprovided with a full table of contents, and it has, what its larger precursor never had, a very complete index. All the cases in the larger work are retained, because "the writer was unwilling to deprive the student and practitioner of any portion of a collection of cases which it has required many years and much reading to bring together," and upwards of 500 cases have been added—so, with the scrupulous accuracy of an exhibitor, does the author inform us. Many portions of the original work have been re-written; but the arrangement has not

* See, for example, the report of *Jesson v. Wright*, (2 Bligh, 1), in which, as Sir E. Sugden points out, (p. 250), the twelve last pages of what appears as the argument for the plaintiffs are merely a copy of the printed reasons, and ought not to have been added to the argument. For a specimen of accuracy, see the last paragraph of the marginal note of *Duffield v. Duffield*, (1 Dow & C. 269), where the decision in favour of the devisees is stated to have been in favour of the heir.

been altered; and as that arrangement has been very ignorantly condemned, we may as well point out, that though the later editions of the Treatise on Vendors were much disfigured by the imperfect fusion of the new with the old matter, the arrangement of the chapters has always been not merely good, but perhaps more natural and perfect than that of any other law treatise. The author follows the course which a sale naturally takes. After some introductory observations on the vendor's obligation to act with good faith, he proceeds (chap. 1) to treat of the contract on a sale, either by auction or by private contract, and herein of the biddings; of the particulars and conditions of sale, and the points to be considered by the vendor in preparing for the sale; of auctioneers and agents, and of the deposit and purchase money; and then of sales by trustees and persons not being owners. Chap. 2 comprises the subject of sales under decrees. The substance of the contract being settled, we come to the record of it, and thus (chap. 3) to the subject of parol agreements, the requisitions of the 4th section of the Statute of Frauds, and the admissibility of parol evidence to vary and explain written instruments, and to correct mistakes and fraud. We then come to (chap. 4) the consequences of the contract, and herein of the purchaser's title from the time of the contract; of other rights and liabilities arising out of the contract, (as to mortgages, charges, liens, &c.); of enforcing performance, or obtaining damages for non-performance of the contract; and of rescinding the contract. This is followed by details of great practical importance, but which would have been out of place in the exposition of the general rules affecting contracts of sale. These are, chap. 5, the time allowed to complete the contract; chap. 6, the adequacy of the consideration as between vendor and purchaser, and the failure of the consideration; which leads to (chap. 7) the partial execution of contracts, where the vendor has not all that he pretends to sell. We then come to the question of title; and, first, chap. 8, of agreements to waive a purchaser's strict rights as to title, and of disputed titles; chap. 9, of the title a purchaser may require; chap. 10, the abstract and proof of title; chap. 11, recent alterations in the law affecting title. After investigating the title, follows, (chap. 12), searching for incumbrances; chaps. 13 and 14, the conveyance and covenants for title; chap. 15, satisfied terms. The title having been investigated and the conveyance prepared, we have left the questions which arise on the payment of the purchase money: chap. 16, interest, deterioration, and costs; chap. 17, seeing to the application of the purchase money; and chap. 18, the vendor's lien for the purchase money. The conveyance having been taken, the title obtained by it remains to be considered. Chap. 19 treats of the capacity to purchase, &c.; purchases by trustees, &c. Chap. 20, of implied trusts on joint purchases; performance of covenants to purchase, &c. Chap. 21, of the protection and relief of purchasers by statutes. Chaps. 22 and 23, of equitable relief and protection, and notice. Chap. 24, of pleading a purchase.

GRAY'S INN.—The Lectures on Law will be resumed in the Hall of the Society, by the Lecturer, Mr. W. D. Lewis, in the ensuing Michaelmas Term, commencing on Monday, the 3rd November, at half-past seven o'clock, when an Introductory Lecture will be delivered on "The General Advantages of a Study of the English Statute Law." This will be followed by a Course of Lectures on "The Statutes relating to Property," on every Monday and Thursday evening. The "Mootings" of the Students will take place on every alternate Thursday evening, after the Lecture. Tickets of admission may be had by any member of an Inn of Court, on application at the Steward's Office.

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM, 1851.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

| | | |
|-----------------|--------|-----------------------------------------------------------------------|
| Monday | Nov. 3 | Motions. |
| Tuesday | 4 | Petitions in General Paper. |
| Wednesday | 5 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Thursday | 6 | |
| Friday | 7 | Claims only after Short Causes, &c. |
| Saturday | 8 | |
| Monday | 10 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Tuesday | 11 | |
| Wednesday | 12 | Motions. |
| Thursday | 13 | |
| Friday | 14 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Saturday | 15 | |
| Monday | 17 | Claims only after Short Causes, &c. |
| Tuesday | 18 | |
| Wednesday | 19 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Thursday | 20 | |
| Friday | 21 | Motions. |
| Saturday | 22 | |
| Monday | 24 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Tuesday | 25 | |

Consent Causes, Unopposed Petitions, Short Causes, and Short Claims, every Saturday at the sitting of the Court.

Notice.—Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

EQUITY CAUSE LISTS, MICHAELMAS TERM, 1851.

* * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied:—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*Ptn.* Petition—*R.* Rehearing—*S. O.* Stand Over—*SA.* Short.

Rolls Court.

| | | |
|--------------------------------------------------------------|--|------------------------------------|
| JUDGMENTS RESERVED. | | Attorney-Gen. v. Chambers |
| Gooch v. Gooch } (F D, C, | | Attorney-Gen. v. Rees |
| Gooch v. Clark } Ptn) | | Hall v. Hall (E) |
| Greenwood v. Roberts (Special case) | | Cooke v. Lamotte } |
| PLEAS AND DEMURRERS. | | Lamotte v. Cooke } |
| Dean and Chapter of Ely v. Gayford (6 Pls) S O | | Barton v. Terrell Nov. 21 |
| Flight v. Duke of Buckingham (Pl) | | Scott v. Wheeler. |
| CAUSES. | | Baker v. Morgan (Cl) |
| Gas-light Co. v. Symonds (3 causes, F D, C) S O | | Stone v. Falkner (Cl) |
| Morgan v. Morgan (3 causes, E, Ptn) | | Da Cunha v. Nichols (Cl) S O |
| Hele v. Bexley } (E, F D, C) | | Vigor v. Vigor (Cl) |
| Same v. Same } S O | | Bishop v. Sutor (Cl) |
| Attorney-Gen. v. Mayor of Gloucester S O | | Jennings v. Paterson (Cl) |
| Ross v. Ross Hil. T., 1852 | | Blackett v. Lamb (Sp. case) |
| London Gas-light Co. v. Spottiswoode S O to add parties | | Dobson v. Lascelles (Cl) |
| Lord Stuart v. London and North-western Railway Co. (Cl) S O | | Loveday v. Barnard (Cl) |
| Peters v. Beer S O | | Hobden v. Molineux (Cause) |
| M'Donnell v. Heslridge S O | | Harrop v. Stubbing (Cl) |
| Weymouth v. Taylor S O | | Kebbel v. Samms } (Orig. & suppl.) |
| Minn v. Stant S O to add parties | | Kebl v. Norris } |
| | | De Caulier v. Druce (Cl) |
| | | Johnson v. Johnson (Cl) |
| | | Creason v. Robinson (Cl) |
| | | Green v. Haywood (Cl) |
| | | Sinclair v. Jackson (Cause) |
| | | Arthur v. Arthur (Cl) |
| | | Jonathan Arthur v. Arthur (Cl) |
| | | Hampton v. Crake (Cause) |
| | | Ball v. Brook (Cause) |
| | | Stansfield v. Hobson (Cl) |

Hanchet v. Thurgood (Cl)
 Poole v. Gordon (Cause)
 Aldebert v. Sams } (Orig.
 Aldebert v. Aldebert } & sup.)
 Tomkins v. Waters (Cl)
 Pope v. Pope (Special case)
 Clarke v. Goggs (Cl)
 Zulueta v. Tyrie (Cause)
 Nixon v. Phillips (Cl)
 Hollingsworth v. Shakeshaft }
 Same v. Same } (Orig. rev. suppl.)
 Andrews v. Shakeshaft (Cau.)
 Light v. Everingham (Special case)
 Lennard v. Matthews (Cl)
 Toulmin v. Reid (Cause)
 Blake v. Grand Surrey Canal Co. (Cl)
 Gooding v. Read (Cl)
 Bailey v. Boulton (Cl)
 Thomas v. Bell (Cl)
 Dicken v. Aldersea (Cl)
 Shannon v. Isaacs (Cause)
 Granville v. Betts } (Amended
 Granville v. Betts } rev. & su.)
 Sanderson v. Trollope (Cause)
 Shea v. Boschetti (Cl)
 Douthwaite v. Douthwaite (Cl)
 Stuart v. Lloyd (Cause)
 Leigh v. Mosley (Special case)
 Waggit v. Welch (Cl)
 Lord Lonsdale v. Comte de Zichy Ferraris (Cause)
 Evans v. Heath (Cl)
 Pearce v. Wrighton (Cl)
 Marshall v. Nadin (Cause)
 Eaton v. Eaton } (Orig. and
 Eaton v. Eaton } rev.)
 Davies v. Griffiths (Cl)
 Drosier v. Brereton (Orig.)
 Cockell v. Taylor (Cause)
 Bristow v. Fuller (Cl)
 Jeffries v. Biggs (Cl)
 Nottidge v. Ripley (Cause)
 Jackson v. Jackson (Sp. case)
 Alepson v. Gramolt (Cl)
 Ashford v. Haines (Cl)
 Goodman v. Iozz (Original)
 Moorhouse v. Colvin (Cause)
 Ives v. Desormaux (Cl)
 Simes v. Langridge (Cl)
 Ford v. Stuart } (Orig. and
 Ford v. Stuart } suppl.)
 Ford v. Gale }
 Barlow v. Worthington (Cl)
 Fletcher v. Windsor (Cause)
 Ridley v. Tiplady (Cause)
 Stephens v. Leach (Cl)
 Denis v. Denis (Cl)
 Ainsworth v. Alman (Sp. ca.)

Preston v. Collet (Cause)
 Alcock v. Alcock (Cl)
 Morgan v. Earl of Horne (Cl)
 Scobell v. Hornbrook (Cl)
 Reeves v. Seymour (Cl)
 Mortimer v. Watts (Sp. case)
 Fearon v. Dearbray (Cause)
 Vincent v. Watt (Cause)
 Bush v. Perrin (Cause)
 Hacerfield v. Griffith (Cl)
 Williams v. Lewis (Cause)
 M'Gachen v. Dew (Cause)
 Dew v. M'Gachen (Cause)
 Holbrook v. Fley (Cl)
 Paul v. Roy (Cause)
 Eccles v. Hewgill (Cl)
 Rigby v. Chamberlaine (Cl)
 Lowe v. Plant (Cl)
 Annesley v. Mogg (Cause)
 Baxter v. Losh (Special case)
 Horlock v. Horlock (Cl)
 Sims v. Helling (Cl)
 Whitehead v. Lynes (Cause)
 Penny v. Masson (Cl)
 Edwards v. Burt (Cause)
 Lethbridge v. Thurlow (Sp. ca.)
 Stanley v. Yardley (Cl)
 Toogood v. Robins } (Orig.
 Toogood v. Herna- } rev. and
 man } suppl.)
 Bryan v. Collins (Cause)
 Sanderson v. Cockermouth Railway Co. (F D, C)
 Norfolk Railway Co. v. Bayes (F D, C)
 Perry v. Pothergill (Cl) SA
 Ellis v. Bowman (F D, C) 1st C D
 Townley v. Bedwell }
 Cunningham v. King } (Rehearing)
 Cunningham v. Galpine }
 Goldsmith v. Last }
 Goldsmith v. Stansfield }
 Money v. Jordan (Cause)
 Whitehurst v. Davis } (F D,
 Barton v. Green } C)
 Frere v. Eastern Union Railway Co. (Cl)
 Wallace v. Eastern Union Railway Co. (Cl)
 Saunders v. Eastern Union Railway Co. (Cl)
 Bradley v. Groom } (F D, C)
 Bradley v. Bradley }
 Soar v. Dalby (Cause)
 Newman v. Knight } (F D, C)
 Newman v. Ball }
 Wason v. Warning (Cause)
 Hill v. Notley (Cl) SA
 Hayman v. Notley (Cl) SA
 May v. Acton (Cl).

Lincolnshire:
 Jacobs v. Manchester, Sheffield, and Lincolnshire Railway Co.

Wigan, Lancashire:
 Chippendale v. Lancashire and Yorkshire Railway Co.

SPECIAL CASES AND DEMURRERS

FOR MICHAELMAS TERM, 1851.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR ARRANGEMENT.

Gibson & an. v. Vernon & an.
 Lowndes v. Earl Stamford and Warrington

FOR ARGUMENT.

*Young v. Master, Fellows, and Scholars of Clare Hall, Cambridge
 Fraser & ors. v. Emmott
 Corsar & ors. v. Reed (Error)
 *Gee v. Mayor of Manchester
 *Inglis v. East India Co.

Clack v. Sainsbury
 Orchard & ors. v. Honchin
 Tetley & an. v. Taylor
 Chadwick v. Birkenhead, Lancashire, and Cheeshire Junction Railway Co.
 Grange v. Trickett
 Wylam & an. v. Wylam's Steam Fuel Co.
 Company of Proprietors of the Kennet and Avon Canal
 Navigation v. Wetherington
 Langridge & an. v. Palmer.

ENLARGED RULES

FOR MICHAELMAS TERM, 1851.

Those marked thus * were moved in the Bail Court; and those marked thus † are to be heard in that court.

First Day.

*Lane & ors. v. Hooper
 *†Reg. v. Inhabitants of Turweston
 *†Same v. Cameron's Coalbrook & Co.
 Same v. Ingham
 *Same v. Justices of Merionethshire
 *Same v. Lancashire & Yorkshire Railway Co.

Second Day.

Reg. v. Corporation of London
 *†Same v. Great Northern Railway Co.
 Same v. Inhabitants of Islington
 Same v. York, Newcastle, and Berwick Railway Co.
 *Same v. York and North Midland Railway Co.
 Same v. Aldham & Co. Insurance Co.

CROWN PAPER, MICHAELMAS TERM, 1851.

Yorkshire Reg. v. Godfrey.
 Middlesex East London Water-works Co.
 Manchester ... Gaskell.
 Yorkshire Inhabitants of Huthwaite.
 Middlesex Firmin.
 Same Overseers of the Poor of Much Hoole.
 Westmorland.. Overseers of the Poor of Kentmere.
 Manchester ... Ogden & ors.
 Essex Eastern Counties Railway Co.

Court of Common Pleas.

NEW TRIAL.

MICHAELMAS TERM, 1848.

Surrey—Hamilton v. Cochrane (To stand over for arrangement).

DEMURRER PAPER.

Friday, Nov. 7.

Wickens v. Goatly
 Edwards v. Great Western Railway Co.
 Beardshaw v. Londresbrough

Friday, Nov. 14.

Clack v. Sainsbury
 Wardens of St. Saviour's, Southwark, v. Ford.

ENLARGED RULE.

Generally.

In re Sharp & ors. v. All of Horbury (In prohibition).

COMMON-LAW CAUSE LISTS, MICHAELMAS TERM, 1851.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER TRINITY TERM, 1851.

FOR JUDGMENT.—EASTER TERM, 1851.

Wilts—Doe d. Newman v. Rusham.

APPEALS FROM COUNTY COURTS.

FOR JUDGMENT.

Westminster:
 Bridges v. Hawksworth

FOR ARGUMENT.

Alfreton, Derbyshire:
 Ludlam v. Moulsey.

Court of Exchequer.

SITTINGS—MICHAELMAS TERM, 1851.

| <i>Days in Term.</i> | <i>Days.</i> | |
|----------------------|--------------|------------------------------------------------------|
| Monday | Nov. 3 | Motions and Peremptory Paper. |
| Tuesday | 4 | Peremptory Paper and Motions. |
| Wednesday | 5 | ..... |
| Thursday | 6 | ..... |
| Friday | 7 | Demurrers and Special Cases. |
| Saturday | 8 | ..... |
| Monday | 10 | Special Cases and Demurrers. Lord Mayor sworn. |
| Tuesday | 11 | Errors. |
| Wednesday | 12 | Demurrers and Special Cases. Nomination of Sheriffs. |
| Thursday | 13 | ..... |
| Friday | 14 | Special Cases and Demurrers. |
| Saturday | 15 | Crown Cases. |
| Monday | 17 | Demurrers and Special Cases. |
| Tuesday | 18 | ..... |
| Wednesday | 19 | Special Cases and Demurrers. |
| Thursday | 20 | ..... |
| Friday | 21 | ..... |
| Saturday | 22 | ..... |
| Monday | 24 | ..... |
| Tuesday | 25 | ..... |

| <i>Days in Term.</i> | <i>Nisi Prius.</i> |
|----------------------|---------------------------------|
| Tuesday | Nov. 4 Middlesex first Sitting. |
| Wednesday | 12 London first Sitting. |
| Thursday | 13 Middlesex second Sitting. |
| Wednesday | 19 London second Sitting. |
| Thursday | 20 Middlesex third Sitting. |

NEW TRIALS.

| <i>FOR ARGUMENT.</i> | <i>Moved Trinity Term, 1851.</i> |
|------------------------------------------------------|-------------------------------------------------------|
| <i>Moved Easter Term, 1851.</i> | Midd.—Wood v. Parker |
| Lond.—Fenn v. Bittleston | " Verey v. Brown |
| " Graham v. Newnham | Lond.—Lysley v. Clarke |
| <i>Moved after the 4th Day of Easter Term, 1851.</i> | <i>Moved after the 4th Day of Trinity Term, 1851.</i> |
| Midd.—Woods v. Finnis | Midd.—Ryan v. Shilcock. |

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions, and to be proceeded with the next Day, if necessary, before the Motions.

| | |
|----------------|---------------|
| Burt v. Kelley | Price v. Sims |
| | Same v. Same. |

SPECIAL PAPER.

SPECIAL CASES.

| <i>FOR ARGUMENT.</i> | |
|---------------------------------------------------------------------------------|----------------------------------------------------------|
| Great Northern Railway Co. v. Manchester, Sheffield, & Lincolnshire Railway Co. | Dickinson v. Grand Junction Canal Co. Jonea v. Clerk. |

DEMURRERS.

| <i>FOR JUDGMENT.</i> | |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Appeals from the County Courts.</i> | Atkinson v. Stephens Collins v. South Staffordshire Railway Co. Joule v. Taylor Cottee v. Richardson Follett v. South Devon Railway Co. |
| <i>FOR ARGUMENT.</i> | |
| Nichols v. Dixon | |

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—William Harrington Bush, of Bristol, in and for the city of Bristol, and county of the same city, also in and for the counties of Somerset and Gloucester; Richard Sharp, of Lymington, in and for the county of Hants.

London Gazettes.

TUESDAY, OCTOBER 28.

BANKRUPTS.

HENRY PAMMENT, Penton-street, Pentonville, Middlesex, cheesemonger, Nov. 6 at 11, and Dec. 4 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Laurance & Co., Frederick's-place, Old Jewry.—Petition filed Oct. 25.

JABEZ GRIMBLE, Sydney-square, Whitechapel, Middlesex, builder, dealer and chapman, Nov. 11 and Dec. 11 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Laurance & Co., Frederick's-place, Old Jewry.—Petition filed Oct. 25.

CHARLES WALKER, Basinghall-street, London, and Leeds, Yorkshire, woollen cloth manufacturer and warehouseman, dealer and chapman, Nov. 4 at half-past 1, and Dec. 4 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Messrs. Linklater, 17, Sise-lane.—Petition filed Oct. 17.

THOMAS COMPERE, Aylesford, Kent, and Cleveland-street, Mile-end, Middlesex, papermaker, dealer and chapman, Nov. 11 at 12, and Dec. 9 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Menckton, Maidstone, Kent; Wilson & Blackman, 1, Raymond-buildings, Gray's-inn.—Petition filed Oct. 17.

JOHN CUTTS, Portobello, Wolverhampton, Staffordshire, grocer and provision dealer, Nov. 6 and 27 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Walker, Wolverhampton; Motteram & Co., Birmingham.—Petition dated Oct. 11.

JOHN JOHNSON, Wolston, Warwickshire, coal dealer and beer seller, Nov. 10 and 29 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Motteram & Co., Birmingham.—Petition dated Oct. 25.

SAMUEL SMITH BUCKNOLE, Castle Cary, Somersetshire, draper, dealer and chapman, Nov. 11 and Dec. 9 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Whittington & Gribble, Bristol.—Petition filed Oct. 18.

GEORGE PIM and SYLVANUS PIM, Birkenhead, Cheshire, merchants, (trading under the firm of George and Sylvanus Pim, Liverpool), Nov. 6 and Dec. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Harvey & Co., Liverpool.—Petition filed Oct. 24.

JOHN RITSON IRVING and WILLIAM IRVING, Liverpool, shipwrights, dealers and chapmen, Nov. 6 and Dec. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Wheeler, Liverpool.—Petition filed Oct. 17.

SAMUEL MAYOR, Liverpool, ship chandler, dealer and chapman, Nov. 6 and Dec. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Pemberton, Liverpool.—Petition filed Oct. 15.

JOSEPH SMITH, Altrincham, Cheshire, joiner and builder, Nov. 7 and 28 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Stirke, Manchester.—Petition filed Oct. 23.

MEETINGS.

Edwin Miles and Henry Miles, Miles-terrace, East Greenwich, Kent, builders, Nov. 7 at half-past 12, Court of Bankruptcy, London, last ex.—William Bedford, Fen Drayton, Cambridgeshire, publican, Nov. 8 at 12, Court of Bankruptcy, London, last ex.—Andrew Burn, Sackville-street, Piccadilly, and Caroline-place, Pancras-vale, Middlesex, tailor, Nov. 6 at 11, Court of Bankruptcy, London, aud. ac.—Rich. Dearn, Charles-st., Soho-sq., Middlesex, licensed victualler, Nov. 8 at 11, Court of Bankruptcy, London, aud. ac.—A. Glass, Queens'-road, Bayswater, Middlesex, baker, Nov. 7 at 12, Court of Bankruptcy, London, aud. ac.—Wm. Newman, Great Chart-street, Hoxton, Middlesex, colour manufacturer, Nov. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—F. W. Saunders, Thame, Oxfordshire, harness maker, Nov. 7 at half-past 11, Court of Bankruptcy, London, aud. ac.—Edward Pownall, Ipswich, Suffolk, and Harwich, Essex, shipowner, Nov. 7 at 11, Court of Bankruptcy, London, aud. ac.—John Alexander, Pendleton, Lancashire, common brewer, Nov. 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.—James Andrew, Dean Water, Prestbury, Cheshire, and Manchester, Lancashire, calico printer, Nov. 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.—John

Sharples the younger, Daisy-field, near Blackburn, Lancashire, cotton spinners, Nov. 13 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Wm. Rawson*, Market Rasen, Lindsey, Lincolnshire, cake and seed merchant, Nov. 19 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac. and fin. div.—*Richard Wilson*, Kingston-upon-Hull, stonemason, Nov. 19 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*Wm. Fincher* and *Francis Fincher*, Ivy Bridge, Devonshire, paper manufacturers, Nov. 18 at 1, Court of Bankruptcy, London, fin. div. sep. est. of *Francis Fincher*.—*Frederick Mounford*, Greenwich, Kent, stationer, Nov. 18 at 12, Court of Bankruptcy, London, fin. div.—*Matthew Johnson*, Leeds, Yorkshire, spindle maker, Nov. 18 at 11, District Court of Bankruptcy, Leeds, div.—*William Lawton*, Liverpool, auctioneer, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*John Biddle Amey*, Liverpool, ship broker, Nov. 18 at 11, District Court of Bankruptcy, Liverpool, div.—*George Rigby* and *John Rigby*, Liverpool, coal merchants, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Murray, Gresham-street, London, woollen warehouseman, Nov. 19 at half-past 1, Court of Bankruptcy, London.—*Wm. Hanson*, Albion-wharf, Kensington Canal Basin, Warwick-road, Kensington, Middlesex, statutory, Nov. 18 at 11, Court of Bankruptcy, London.—*Isaac Boyd*, Spital-sq., Middlesex, silk manufacturer, Nov. 18 at 12, Court of Bankruptcy, London.—*Thomas Hailston*, Wheelock, Cheshire, grocer, Nov. 20 at 12, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Benjamin Lindsey, Market Deeping, Lincolnshire, draper.

PETITION ANNULLLED.

Thomas Fisher, Gower-street, Bedford-square, and Tottenham-street, Tottenham-court-road, Middlesex, pianoforte manufacturer.

PARTNERSHIP DISSOLVED.

John Graves and *Wm. Edwin Bellamy*, Bath, Somersetshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Alexander McDonald, Thurso, house carpenter.—*Robert Anderson & Son*, Leith, merchants.—*Alexander Patience*, Portmahomack, Tarbat, Ross-shire, boat builder.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Gardner, Portsmouth, Southampton, grocer, Nov. 27 at 11, County Court of Hampshire, at Portsmouth.—*Joseph Davey*, Birdbrook, Essex, cattle dealer, Nov. 15 at 11, County Court of Suffolk, at Haverhill.—*David Davies*, Aberaman, Aberdare, Glamorganshire, haulier, Nov. 8 at 10, County Court of Glamorganshire, at Merthyr Tydvil.

Saturday, Oct. 25.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

James Willan, Bishop's Auckland, Durham, dealer in German yeast, No. 74,225 C.; *George Marley* and *Thos. Watson*, assignees.—*Benj. Smith*, Stourmouth, near Wingham, Kent, farmer, No. 74,232 C.; *Edward Francis Stratton Reader*, assignee.—*Thomas Smith Elstob*, Ipswich, Suffolk, in no business, No. 74,265 C.; *John Kachler*, assignee.

Saturday, Oct. 25.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Thomas Mackern, Pavement, Clapham-common, Clapham, Surrey, surgeon: in the Queen's Prison.—*Samuel William Worssam*, Hortulan-place, King's-road, Chelsea, Middlesex, engineer: in the Debtors Prison for London and Middlesex.—*James Rhodes*, Horselydown, Surrey, ship broker: in the Debtors Prison for London and Middlesex.—*Geo. Sims Acret*, Houndeditch, London, assistant to a truss maker: in the

Debtors Prison for London and Middlesex.—*William Childs*, Crown-place, Aldgate, London, beadle of Trinity House-gardens, Trinity-square, Tower-hill, London: in the Debtors Prison for London and Middlesex.—*Wm. Cawfield*, Bennett's-place, Kennington-lane, Surrey, wholesale confectioner: in the Debtors Prison for London and Middlesex.—*William Lay*, Salford, Lancashire, navy pensioner: in the Gaol of Lancaster.—*Robt. Kellett*, Bolton-le-Moors, Lancashire, clogger: in the Gaol of Lancaster.—*Joseph Turner*, Huddersfield, Yorkshire, innkeeper: in the Gaol of York.—*Thos. Baxter*, Manchester, reed maker: in the Gaol of Lancaster.—*John Brown*, South Shields, Durham, blacksmith: in the Gaol of Durham.—*John Unthank*, Nessgate, Yorkshire, out of business: in the Gaol of York.—*Robert German*, Peterborough, Northamptonshire, builder: in the Gaol of Northampton.—*James Pennell*, Studley, Warwickshire, horse dealer: in the Gaol of Warwick.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 11 at 11, before the CHIEF COMMISSIONER.

James Peacock, Crawley-st., Oakley-square, St. Pancras, Middlesex, out of business.—*Joseph Kileby*, Brill-row, Somers-town, Middlesex, shopman to a leather seller.—*Jason Jonathan Rowe*, Rowe's Wharf, Wharf-road, Pritchard's-road, Hackney-road, Middlesex, hawk.

Nov. 12 at 11, before Mr. Commissioner PHILLIPS.

Adjourned Case.

James Ellis, High Holborn, Middlesex, conductor of a casino.

Nov. 13 at 11, before Mr. Commissioner PHILLIPS.

Wm. Watkins, Vincent-terrace, near River-terrace, City-road, Islington, Middlesex, builder.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cardiganshire, at CARDIGAN, Nov. 12 at 10.

Rees Rees, Muldan, block maker.—*Anne Lloyd*, Llanddavi Aberarth, widow.

At the County Court of Flintshire, at MOLD, Nov. 12 at 10.
William Hughes, Rhyl, painter.

FRIDAY, OCTOBER 31.

BANKRUPTS.

BENJAMIN WYON, Regent-street, Middlesex, engraver, dealer and chapman, Nov. 11 at half-past 2, and Dec. 9 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Shirreff, 7, Lincoln's-inn-fields.—Petition filed Sept. 19.

CHARLES HENRY REYNOLDS and *CHARLES WITT*, Cornhill, London, outfitters and clothiers, dealers and chapmen, Nov. 13 at 1, and Dec. 11 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Oct. 30.

JAMES THOMAS COULTHRED the younger and *WILLIAM DYER*, Lombard-street, Union-street, Southwark, whitelead makers, dealers and chapmen, Nov. 11 at 12, and Dec. 11 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Wilkinson & Co., 2, Nicholas-lane.—Petition filed Oct. 22.

JOHN FAIRBROTHER, Brighton, Sussex, cowkeeper, market gardener, and fruiterer, dealer and chapman, Nov. 4 at 2, and Dec. 1 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Kennett, Brighton; Sowton, Great James-st., Bedford-row.—Petition filed Oct. 17.

PRINCE JAMES TUBB, Tottenham, Middlesex, draper, dealer and chapman, Nov. 6 at 1, and Dec. 11 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Mardon & Prichard, Christchurch-chambers, Newgate-street.—Petition filed Oct. 22.

WILLIAM BATSON, Birmingham, iron manufacturer, Nov. 12 and Dec. 2 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Motteram & Co., Birmingham.—Petition dated Oct. 27.

CHARLES STUART VOULES, New Windsor, Berkshire, scrivener, trader, dealer and chapman, Nov. 13 at 2, and Dec. 9 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Oct. 31.

WILLIAM JONES, Castle-st., Finsbury, Middlesex, cabinet maker, Nov. 13 at half-past 11, and Dec. 9 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Wright & Bonner, New London-st., Fenchurch-street.—Petition filed Oct. 31.

EDWARD CHURTON, Holles-street, Cavendish-square, Middlesex, bookseller and publisher, dealer and chapman, Nov. 11 at 1, and Dec. 18 at 2, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Messrs. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Oct. 29.

JOHN JOHNSON, Wolston, Warwickshire, coal dealer and beer seller, Nov. 10 and 29 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Browett, Coventry; Motteram & Co., Birmingham.—Petition dated Oct. 25.

JOHN MABERLY BANFIELD, Devonport, Devonshire, and **JOHN LEWIS**, Bristol, wine and spirit merchants, (carrying on business at Devonport under the style or firm of J. M. Banfield & Co.), Nov. 11 at 1, and Dec. 2 at 12, District Court of Bankruptcy, Exeter: Off. Ass. Herniman; Sols. Warden, Bardon, near Taunton; Stogdon, Exeter.—Petition filed Oct. 24.

JAMES TORDOFF, Pudsey, Yorkshire, woollen cloth manufacturer, Nov. 18 and Dec. 8 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Ward & Son, and Granger, Leeds.—Petition dated Oct. 27.

THOMAS WILSON, Landcliffe, Yorkshire, draper and stonemason, Nov. 17 at 12, and Dec. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Pearson, Kirkby Lonsdale; Payne & Co., Leeds.—Petition dated Oct. 7.

JOSEPH HARRISON ODDIE WILSON, Burton-in-Lonsdale, Yorkshire, draper, Nov. 17 at 12, and Dec. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Pearson, Kirkby Lonsdale; Payne & Co., Leeds.—Petition dated Oct. 7.

CHARLES READ, Great Grimsby, Lincolnshire, wine and spirit merchant, dealer and chapman, Nov. 26 and Dec. 17 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Veal, Great Grimsby.—Petition dated Oct. 28.

THOMAS TUCKER and **JOHN TUCKER**, Liverpool, ship builders and ship owners, (trading under the name, style, or firm of Thomas Tucker & Co.), Nov. 17 at 11, and Dec. 8 at 12, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Pemberton, Liverpool.—Petition filed Oct. 22.

JOSEPH DAY and **THOMAS DAY**, Macclesfield, Cheshire, silk manufacturers, (trading under the firm of Day & Son), Nov. 13 and Dec. 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sol. Norris, Macclesfield.—Petition filed Oct. 23.

MEETINGS.

John Solomon Ellis, Aldgate, London, tailor, Nov. 14 at 11, Court of Bankruptcy, London, last ex.—*Edward Davis*, Northampton, carrier, Nov. 12 at half-past 11, Court of Bankruptcy, London, last ex.—*Samuel Churchhill*, Christ-st., Poplar, and *Thomas Claydon*, St. Thomas-road, Stepney, Middlesex, builders, Nov. 14 at 1, Court of Bankruptcy, London, last ex.—*Richard Seymour*, Downham, Cambridgeshire, grocer, Nov. 14 at half-past 1, Court of Bankruptcy, London, last ex.—*Michael M'Donnell*, Liverpool, licensed victualler and passenger broker, Nov. 11 at 11, District Court of Bankruptcy, Liverpool, last ex.—*Zachariah Warren*, Ardleigh, Essex, miller, Nov. 12 at half-past 1, Court of Bankruptcy, London, aud. ac.—*Joseph Cundall*, Old Bond-street, Middlesex, publisher, Nov. 19 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Henry James Ellis*, Rotherhithe-wall, Rotherhithe, Surrey, ironmonger, Nov. 19 at half-past 12, Court of Bankruptcy, London, aud. ac.; Nov. 21 at 12, div.—*Randal Acres* the younger, Puckeridge, Braughing, Hertfordshire, innkeeper, Nov. 19 at 1, Court of Bankruptcy, London, aud. ac.—*Hen. Mowbray Arliss* and *Elijah Tucker*, Frith-st., Soho-square, Middlesex, printers, Nov. 19 at 1, Court of Bankruptcy, London, aud. ac.; Nov. 21 at 1, div.—*John Birnie Phily*, *John Richard Clayton*, *Edward Agar*

Wynne, and *John Lumsden*, East-street, Manchester-square, Middlesex, builders, Nov. 19 at 12, Court of Bankruptcy, London, aud. ac.—*Edward Upton Spashett*, Barking, Essex, mast maker, Nov. 24 at half-past 12, Court of Bankruptcy, London, aud. ac.—*Thos. Clifton* and *Richard Esby Rawle*, Bristol, wine merchants, Nov. 21 at 11, District Court of Bankruptcy, Bristol, aud. ac. joint est. and sep. est.—*Matthew Johnson*, Leeds, Yorkshire, spindle maker, Nov. 17 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Hen. Coates*, Birmingham, draper, Nov. 10 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.; Nov. 24 at half-past 10, div.—*Wm. Wickens Holman*, Bath, draper, Nov. 21 at 1, Court of Bankruptcy, London, div.—*Charles Chaplin*, Sudbury, Suffolk, printer, Nov. 21 at half-past 11, Court of Bankruptcy, London, div.—*Robert Holmes Marshall*, Plymouth, Devonshire, draper, Nov. 21 at half-past 12, Court of Bankruptcy, London, div.—*Frederick Spencer Adolphus France*, Lambeth-walk, Lambeth, Surrey, clothier, Nov. 24 at 1, Court of Bankruptcy, London, div.—*George Barlow*, Stepney-green, Middlesex, coal merchant, Nov. 24 at 2, Court of Bankruptcy, London, div.—*Christopher Teesdale* and *Rich. Toulson*, Westminster-bridge-road, Surrey, furnishing warehouseman, Nov. 22 at half-past 11, Court of Bankruptcy, London, fin. div.—*Geo. Clive Searle*, Tyndale-place, Islington, Middlesex, apothecary, Nov. 22 at 11, Court of Bankruptcy, London, div.—*John Pascoe Whitmore*, Hackney, Middlesex, draper, Nov. 22 at half-past 12, Court of Bankruptcy, London, div.—*Robert Sheppard*, Norwich, commission agent and general dealer, Nov. 22 at 11, Court of Bankruptcy, London, div.—*Joseph Emmerson Dowson*, Oxford-street, Middlesex, furnishing ironmonger, Nov. 22 at 12, Court of Bankruptcy, London, div.—*John Buttrey*, Charlton-pier, Woolwich, Kent, victualler, Nov. 22 at half-past 11, Court of Bankruptcy, London, div.—*Clason Scarfe*, Hull-street, City-road, Middlesex, timber merchant, Nov. 22 at 11, Court of Bankruptcy, London, div.—*John Moores* the younger, Aylesbury, Buckinghamshire, draper, Nov. 22 at 12, Court of Bankruptcy, London, div.—*Francis Syder*, Fakenham, and Wells, near Fakenham, Norfolk, and Hitchin, Hertfordshire, grocer, Nov. 22 at 11, Court of Bankruptcy, London, div.—*Samuel Knightly*, Paul-street, Finsbury, Middlesex, carpenter, Nov. 22 at 12, Court of Bankruptcy, London, div.—*Alfred Smith Breeze* and *George Smith Breeze*, Aylesham, Norfolk, ironmongers, Nov. 22 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Nelson Assheton*, Liverpool, merchant, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*Robert Guthrie* and *Colin Cook*, Liverpool, merchants, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*William Russell*, Liverpool, merchant, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, div.—*William Goodchild Shipley*, Market-row, Oxford-market, St. Marylebone, Middlesex, corn dealer, Nov. 24 at half-past 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Edward Upton Spashett, Barking, Essex, mast maker, Nov. 24 at half-past 12, Court of Bankruptcy, London.—*Randal Acres* the younger, Puckeridge, Braughing, Hertfordshire, innkeeper, Nov. 21 at 1, Court of Bankruptcy, London.—*Samuel Cannock* the younger, Kent-terrace, Great College-street, Camden-town, Middlesex, tobaccoist, Nov. 21 at half-past 1, Court of Bankruptcy, London.—*John Thomas*, Shrewsbury, Shropshire, grocer, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham.—*Cyrus Gittins*, Hanley, Staffordshire, grocer, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

William Rous Mabson, Highfield, Southampton, auctioneer.—*Alfred Hinton*, Portsmouth, Southampton, stationer.—*John Barber*, Eaton Socan, Bedfordshire, builder.

SCOTCH SEQUESTRATIONS.

Robert Kilgour, Stockbridge, Edinburgh, cattle dealer.—*John Milne*, Aberdeen, innkeeper.—*John Cassels*, Braidwood, Carlisle, Lanarkshire, farmer.—*William Stewart Beveridge*, Edinburgh, hosier.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

William Clayton, Liverpool, provision dealer, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*John Carroll*, Liverpool, mast maker, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*James Ward Tacey*, Liverpool, shipping agent, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*John Porter*, Liverpool, butcher, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*David Keam*, Liverpool, warehouseman, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*Charles Hebb*, Liverpool, bookkeeper, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*Alice Mary Robinson*, widow, Liverpool, straw-bonnet maker, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*Frederick Yates*, Wavertree, Lancashire, ale and porter merchant, Nov. 5 at 9, County Court of Lancashire, at Liverpool.—*William May*, Aston New-town, Warwickshire, bricklayer, Nov. 8 at 10, County Court of Warwickshire, at Birmingham.—*Charles Brettell*, Birmingham, glass blower, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*William Hodges*, Kingsnorton, Worcestershire, carpenter, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*E. A. Latham*, St. Helen's, Lancashire, glass stainer, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*William Challand*, Arnold, Nottinghamshire, carpenter, Nov. 17 at 9, County Court of Nottinghamshire, at Nottingham.—*Thos. B. Harrie*, Nottingham, railway clerk, Nov. 17 at 9, County Court of Nottinghamshire, at Nottingham.—*Thomas White*, Ellesmere Port, Cheshire, bricklayer, Nov. 14 at 10, County Court of Cheshire, at Birkenhead.—*S. Eastwood*, Birkenhead, Cheshire, butcher, Nov. 14 at 10, County Court of Cheshire, at Birkenhead.—*Jeremiah Hunt*, Brighton, Sussex, upholsterer, Nov. 7 at 12, County Court of Sussex, at Brighton.—*David Davies*, Treforest, near Newbridge, Glamorganshire, grocer, Nov. 12 at 10, County Court of Glamorganshire, at Cardiff.—*John Price*, Ledbury, Herefordshire, builder, Nov. 22 at 9, County Court of Herefordshire, at Ledbury.—*George Limb*, Stallingsborough, near Great Grimsby, Lincolnshire, schoolmaster, Nov. 19 at 10, County Court of Lincolnshire, at Great Grimsby.—*Wm. Wilson*, Northallerton, Yorkshire, carrier, Nov. 15 at 11, County Court of Yorkshire, at Northallerton.—*H. Altonby*, Morland, Westmoreland, cattle dealer, Nov. 19 at 10, County Court of Westmoreland, at Appleby.—*Thos. B. Woollerton*, Nottingham, tailor, Nov. 17 at 9, County Court of Nottinghamshire, at Nottingham.—*Robert Fletcher*, Oxford, upholsterer, Nov. 17 at 10, County Court of Oxfordshire, at Oxford.—*Jas. Chapman*, York, general engraver, Nov. 17 at 10, County Court of Yorkshire, at York.—*Thos. Salmon*, Kirby-le-Soken, Essex, wheelwright, Nov. 17 at 12, County Court of Essex, at Colchester.—*J. B. Gammon*, Chelmsford, Essex, clerk at a corn mill, Nov. 22 at 11, County Court of Essex, at Chelmsford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 14 at 11, before the CHIEF COMMISSIONER.

John Kennett, Jewin-street, Cripplegate, London, clerk to a general carrier.

Nov. 14 at 10, before Mr. Commissioner LAW.

George Brettell, Lansdown-villas, St. John's-road, North End, Fulham, Middlesex, house agent.—*Henry Saul*, Midway-terrace, Deptford Lower-rd., Rotherhithe, Surrey, naphtha distiller.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, Nov. 12.

Rees Jones the younger, Abertillery, Monmouthshire, out of business.—*Edward Thomas*, Britonferry, butcher.

At the County Court of Devonshire, at EXETER, Nov. 15 at 10.

James Hill, Exeter, out of business.

At the County Court of Yorkshire, at YORK CASTLE, Nov. 17 at 10.

Thomas Smith, Leeds, shoemaker.—*Joseph Charlesworth*, New Mill, near Holmfirth, machine maker.—*Alex. Houtson*, Shipley, near Bradford, out of business.—*Wm. Woolford*, Apperley-bridge, near Bradford, stuff presser.—*J. Unthank*, York, out of business.—*Thomas Petty*, Holbeck, near Leeds, farmer's assistant.

At the County Court of Carmarthenshire, at CARMARTHEN, Nov. 18 at 2.

Henry Anstey, Llandilofawr, shoemaker.

The Queen has been pleased to confer the honour of knighthood upon Richard Torin Kindersley, Esq., and James Parker, Esq., Vice-Chancellors.

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EAGLE INSURANCE COMPANY.—London, August 8, 1851.—At the ANNUAL GENERAL MEETING of PROPRIETORS held this day,

The Hon. JOHN CHETWYND TALBOT, Q. C., the Chairman of the Company, in the Chair,

A Report was read, from which it appeared—

That the Income of the Company for the year ending June 30, 1851, was . . . £140,338 1 0
 The Premium on Policies issued in the year . . . 5,399 13 9
 The Claims on decease of Lives assured . . . 83,691 1 9
 The Expenses . . . 5,686 5 0
 The Total Assets of the Company . . . 704,010 14 0

The Report entered into further details, and finished by stating that the Directors felt it unnecessary to dwell further upon the items of the year's account, as the quinquennial valuation to be made in June next was so near.

The Report was unanimously adopted, and some routine business having been disposed of, the thanks of the meeting were very cordially voted to the Chairman, Directors, and officers of the Company, when the meeting separated.

The Premiums required by this Company are very moderate, and moreover are accurately adjusted.

The Assured of the participating class share the whole surplus, less 20 per cent. only.

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3, Crescent, New Bridge-street, Blackfriars, September, 1851.

GUARDIAN FIRE and LIFE ASSURANCE COMPANY, No. 11, Lombard-street, London.

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The Jurist

No. 774—VOL. XV.

NOVEMBER 8, 1851.

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LONDON, NOVEMBER 8, 1851.

THE further consideration of the suggested abolition, by the junior Bar, of the rule of etiquette which forbids them to take any business, except through solicitors, is forced upon us by the prominence with which it is put forward in a variety of publications, and the great commotion which it is exciting in both branches of the Profession.

The rule, as we have more than once said in these pages, was originally made as, and intended to be, a rule of convenience—the convenience of the bar, the solicitors, and the public. It never was intended to be, and if intended never could have operated as, a rule for giving and preserving dignity to the Bar; for it is not more dignified to give advice to one person than to another. Therefore the Bar, if it preserves the rule, need not be suspected of doing so under any false notions of dignity or delicacy; nor, if it should rescind its own rule, need it be threatened with a loss of caste or position.

We have before us letters, articles in reviews, and pamphlets, all discussing this subject; some proposing a total abolition, some a sacred preservation of the rule—some attributing to it the deterioration of the Bar, others treating it as the very key-stone of its honour. Let us endeavour to discuss it with the calmness and with the plainness of men of business, bearing in mind that though, in form, it is a lawyer's question, in substance it is principally a public question; for if it can be shewn that in any case the public suffer by the rule, however convenient it may be to the bar and the solicitors, the public will have it altered by the same sort of pressure by which it alters all other pri-

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vate arrangements between parties serving it, which are not for its convenience. The question, therefore, to be considered by the bar and the solicitors is, whether, in all cases, the rule is for the convenience of the public, or whether there are any in which it is not. Now, we do not yet see that it would be for the convenience of the Profession or of the public, that the Bar should take litigatory business, even in the county courts, directly from the suitor. If there is—and we fear that in some county courts at least there is—a combination to exclude the Bar, then no doubt it would be well that the Bar should have the *right* in those courts, as it has elsewhere, to take instructions direct from the suitors; because the fact of their having that right would check any improper combination. But, as a matter of convenience, it must always, we think, be convenient that one branch of the Profession should see the suitor, and hear his own account of his case, eliminate the substantial from the immaterial facts, collect the evidence, forward papers through the different offices which they have to pass, and do, in fact, all that routine business, which, taking up time, and requiring business habits and tact, does not require much learning or *legal* acumen, and indeed, by its very absorption of time, prevents their cultivation; and that, on the other hand, to a distinct branch of the Profession should be intrusted the business of advising the course of proceeding and conducting the case in court—a business which requires specially, and almost exclusively, learning in the law, and the application of what may be termed forensic tactics, of neither of which can an adequate knowledge be obtained and maintained, except by continual reading and practice. Now, for each branch of the Profession to mix up in its practice these two pur-

suits, instead of dividing, as they do, the labour, would just have the effect of producing one set of men, all half-informed, all inefficient advocates, and unskilful attorneys, instead of two sets of men, each skilled and au fait in its own department. Nevertheless there may be departments of the barrister's business to which now is applied the general rule of etiquette, and in which the public may think that its application is pernicious as regards them, while the Bar can scarcely, perhaps, prove that any intolerable inconvenience would arise to them by its being abandoned. Of this class is, probably, a portion of the business of giving advice in chambers, and a portion of the business of conveyancing; because in portions, and perhaps considerable portions, of both of these kinds of business, the real client can do all that is to be done as well as the most experienced solicitor. For instance, in nearly all cases—and they are numerous—where advice upon the construction of written instruments is wanted, all that the counsel requires is the instrument itself, and information as to the position filled by his client. In such cases, as well as in all others, the intervention of a solicitor is at present required by counsel, but it is difficult for him to prove that he could not conveniently or satisfactorily give his advice without such intervention. So, in the preparation of wills, and many deeds, such as mortgages, settlements, and the like, it is certainly more agreeable to counsel to have the intention of the parties, and the enumeration of the parcels or pieces of property intended to be dealt with, neatly and artistically set forth by a professional hand, than it would be either to take these things down in writing from the mouth of the client, or to peruse the deeds out of which the counsel is to gather his materials for his draft. But as, in a great number of cases, the intentions of the client could be, and as not unfrequently they really are, written down by himself, and as in a great number of cases also the careful counsel finds it imperative upon him to read the contents of the deeds, and not to rely entirely on any written statement of their effect, it is manifest that here also he can hardly prove to the client, that without the intervention of a solicitor he could not well and safely transact his part of the business, viz. the preparation of a draft.

If, in any of these cases, the public should once come to the conclusion, that, by the effect of the rule in question, it is compelled to incur needless expense, it will no doubt force upon the Profession a different rule. It would be well, we conceive, if the Profession were itself to consider the subject, and effect the necessary change, lest the public should take the case into its own hands, and insist on an extent of change which may throw on counsel most inconvenient duties, and materially injure the pecuniary interests of the other branch of the Profession. The proper course, as it seems to us, would be for the junior members of both Bars to meet, and to determine whether any and what alteration should be made in the present rule of etiquette.

ON THE ADMISSIBILITY AS A WITNESS OF THE WIFE OF A PARTY TO THE ACTION.

A DOUBT has been started as to whether the recent Act for the Amendment of the Law of Evidence does not render competent as a witness the wife of a party to the action; and in a recent case of *Harrison v. Dunn*, tried before Mr. Justice Erle at the Sittings at Westminster on Tuesday last, his Lordship held that it did. There, in an action for the board and maintenance of the defendant's child, the defendant called his wife as a witness; and she was admitted accordingly. An objection to her admissibility was taken and overruled; but it was not pressed, neither were the grounds upon which it rested laid before the learned judge—the particular circumstances of the case probably rendering it equally desirable to both plaintiff and defendant that the wife of the latter should be examined. It therefore can scarcely be deemed to be the deliberately formed opinion of that learned person, upon the construction to be put on the words of the act; and we have, therefore, conceived ourselves at liberty to make the following observations.

It is with a view to obviate any misapprehension as to the law on this subject, that we think it necessary to call attention to the grounds upon which, as it appears to us, the above decision is incorrect.

The 6 & 7 Vict. c. 85, s. 1, enacted, "that no person offered as a witness should thereafter be excluded, by reason of incapacity from crime, or interest, from giving evidence," "on the trial of any issue joined," &c., "but that every person so offered might and should be admitted to give evidence," "notwithstanding that such person might or should have an interest in the matter in question, or in the event of the trial," &c. The section contains this proviso: "Provided that this act should not render competent any party to any suit, action, or proceeding, individually named in the record, or any lessor of the plaintiff, or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any defendant in replevin may make cognisance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part, or the husband or wife of such persons respectively."

The 14 & 15 Vict. c. 99, upon which the question arises, by sect. 1, enacts, that "so much of sect. 1 of the 6 & 7 Vict. c. 85, as provides that the said act shall 'not render competent any party to any suit, action, or proceeding, individually named, or any lessor of the plaintiff, or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any defendant in replevin may make cognisance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part,' is hereby repealed."

Now, had the act stopped here, the effect would have been to have left the former act as if it had not contained the exception repealed, but only so much of

* The writer has been informed that the bill at one time, in its progress through Parliament, contained here the words, "or the husband or wife of such persons respectively;" but that these words were afterwards purposely stricken out.

it as excludes from the operation of the act "the husband or wife of such persons respectively."

Sect. 2, however, enacts, that "on the trial of any issue joined" &c., "the parties thereto, and the persons in whose behalf any such suit" &c. "may be brought or defended, shall, except as hereinafter excepted, be competent and compellable to give evidence" "on behalf of either or any of the parties to the said suit," &c.

Had the statute stopped even at this section, there could scarcely have arisen a doubt but that the wife of a party was not rendered a competent witness. She was excepted from the operation of the former act, and she was not included in its repealed portion in the 1st section of the later act; and she was certainly neither a "party to the suit," or a person "in whose behalf the suit was brought," within the enabling clause in sect. 2.

Then comes sect. 3, which raises the doubt, by enacting that "nothing herein contained shall render any person, who in any criminal proceeding is charged with the commission of any indictable offence," &c., "competent or compellable to give evidence for or against himself," "or shall in any criminal proceeding render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband."

This section, it is said, shews that the Legislature meant, by excepting in terms the wife of a party in a criminal proceeding, to treat her as a competent witness in a civil proceeding.

But the law before was clear that she was incompetent; and unless this act, by plain and explicit terms, renders her testimony admissible, it cannot be made so by means of an inference drawn from an omission in an exceptive clause. As she did not come within the terms of sect. 2, she did not need to be excepted by sect. 3. There is a reason for the exception in a criminal proceeding; because otherwise it might have been supposed that a defendant in a criminal proceeding was a "party" to a "proceeding in a court of justice," and therefore came within sect. 2. It was consequently necessary to frame the 3rd section; and the wife of a defendant in a criminal case was probably also excepted *ex abundanti cautela*. Indeed, it may be observed, that the latter section will not bear minute criticism, as a strict construction of the concluding portion of it would include the wife of a prosecutor, and render her incompetent as a witness on an indictment preferred by her husband—which could never have been the intention of the Legislature.

Besides, the 2nd section in the late act was in furtherance of the alterations in the law contained in the former act—the former being designed to take away all objections of incapacity arising either out of "crime or interest," except as regarded the "parties" to the suit; and the latter, to take away the objection of interest, even in the case of the "parties" themselves. Whereas the rule of law, which excluded the testimony of the wife, was not founded on considerations of interest alone, but mainly and principally on the ground of public policy, for the maintenance of peace and union in domestic life, whose quiet would be disturbed, and whose whole order and economy would be overthrown,

if the confidences that exist between husband and wife were to be rudely dragged before the public eye.

If, however, the construction offered is correct, this anomaly must ensue—that although not ordinarily a competent witness, the wife, whenever she is interested in the action, by being a party to it, or by its being brought on her behalf, will become competent.

Court Papers.

EQUITY SITTINGS, MICHAELMAS TERM, 1851.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | | |
|---------------------|---------|-----------------------------------------------------------------------------|
| Monday | Nov. 10 | } Appeals. |
| Tuesday | 11 | |
| Wednesday | 12 | |
| Thursday | 13 | } Appeal Motions. |
| Friday | 14 | |
| Saturday | 15 | } (Petition-day).—Lunatic Petitions (unopposed first) and Appeal Petitions. |
| Monday | 17 | |
| Tuesday | 18 | } Appeals. |
| Wednesday | 19 | |
| Thursday | 20 | } Appeal Motions. |
| Friday | 21 | |
| Saturday | 22 | } (Petition-day).—Lunatic Petitions (unopposed first) and Appeal Petitions. |
| Monday | 24 | |
| Tuesday | 25 | } Appeals. |
| | | |
| | | } Appeal Motions. |
| | | |

Before the LORDS JUSTICES, at Lincoln's Inn.

| | | |
|---------------------|---------|-----------------------------------|
| Monday | Nov. 10 | } Appeals. |
| Tuesday | 11 | |
| Wednesday | 12 | } Bankrupt Petitions and Appeals. |
| Thursday | 13 | |
| Friday | 14 | } Appeal Motions. |
| Saturday | 15 | |
| Monday | 17 | } Appeal Petitions and Appeals. |
| Tuesday | 18 | |
| Wednesday | 19 | } Appeals. |
| Thursday | 20 | |
| Friday | 21 | } Bankrupt Petitions and Appeals. |
| Saturday | 22 | |
| Monday | 24 | } Appeal Motions. |
| Tuesday | 25 | |

Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.

| | | |
|---------------------|---------|----------------------------------------------------------------|
| Monday | Nov. 10 | } Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Tuesday | 11 | |
| Wednesday | 12 | |
| Thursday | 13 | } Motions and Ditto. |
| Friday | 14 | |
| Saturday | 15 | } Unopposed Petitions, Short Causes, Short Claims, and Claims. |
| Monday | 17 | |
| Tuesday | 18 | } Pleas, Demurrers, Exceptions, Causes, and Claims. |
| Wednesday | 19 | |
| Thursday | 20 | } Motions and Ditto. |
| Friday | 21 | |
| Saturday | 22 | } Unopposed Petitions, Short Causes, Short Claims, and Claims. |
| Monday | 24 | |
| Tuesday | 25 | } Pleas, Demurrers, Exceptions, Causes, and Claims. |
| | | |
| | | } Petitions and Ditto. |
| | | |
| | | } Motions and Ditto. |
| | | |

Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.

| | | |
|---------------------|---------|-------------------------------------------------------------------------|
| Monday | Nov. 10 | } Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Tuesday | 11 | |
| Wednesday | 12 | } Short Causes, Short Claims, & Claims. |
| Thursday | 13 | |

| | | |
|-----------------|----|-----------------------------------------------|
| Friday | 14 | { (Petition-day).—Cause Petitions and Causes. |
| Saturday | 15 | { Pleas, Demurrers, Exceptions, Claims, |
| Monday | 17 | { Causes, and Further Directions. |
| Tuesday | 18 | { |
| Wednesday | 19 | { Short Causes, Short Claims, & Claims. |
| Thursday | 20 | { Motions and Causes. |
| Friday | 21 | { (Petition-day).—Cause Petitions and Causes. |
| Saturday | 22 | { Pleas, Demurrers, Exceptions, Claims, |
| Monday | 24 | { Causes, and Further Directions. |
| Tuesday | 25 | { Motions and Ditto. |

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

| | |
|---------------------|-----------------------------------------|
| Monday Nov. 10 | { Pleas, Demurrers, Exceptions, Claims, |
| Tuesday | { Causes, and Further Directions. |
| Wednesday | { |
| Thursday | { Motions and Ditto. |
| Friday | { (Petition-day).—Cause Petitions. |
| Saturday | { Short Causes, Short Claims, & Claims. |
| Monday | { Pleas, Demurrers, Exceptions, Claims, |
| Tuesday | { Causes, and Further Directions. |
| Wednesday | { |
| Thursday | { Motions and Ditto. |
| Friday | { (Petition-day).—Cause Petitions. |
| Saturday | { Short Causes, Short Claims, & Claims. |
| Monday | { Pleas, Demurrers, Exceptions, Claims, |
| Tuesday | { Causes, and Further Directions. |
| Tuesday | { Motions and Ditto. |

N. B.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

EQUITY CAUSE LISTS, MICHAELMAS TERM, 1851.

*. * The following abbreviations have been adopted to abridge the space the Cause Papers would otherwise have occupied.—*A.* Abated—*Adj.* Adjourned—*A. T.* After Term—*Ap.* Appeal—*C. D.* Cause Day—*Cl.* Claim—*C.* Costs—*D.* Demurrer—*E.* Exceptions—*F. D.* Further Directions—*M.* Motion—*P. C.* Pro Confesso—*Pl.* Plea—*P'n.* Petition—*R.* Rehearing—*S. O.* Stand Over—*Sh.* Short.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| APPEALS. | | Letts v. Corn Exchange Co. (Ap) |
|---------------------------------------------|-----------|---------------------------------------------|
| Sturge v. Sturge (Ap, pt. hd.) | | Powell v. Dodson (Ap) |
| Rhodes v. Matson (Ap) | | Follett v. Jeffereyes (Ap) |
| Smale v. Graves (Ap) | | Bryan v. Mansion (Ap) |
| Hawkes v. Eastern Counties Railway Co. (Ap) | | Langdale v. Gill (Ap) |
| Hamilton v. Rankin (Ap) | | Spooner v. Vane (Ap) |
| Saunders v. Hamilton (Ap) | | M'Intosh v. Great Western Railway Co. (Ap) |
| Gaston v. Frankum (Ap) | | Kingsford v. Ball (Ap) |
| Ward v. Martin (2 Aps) | | Hawkes v. Eastern Counties Railway Co. (Ap) |
| Weaver v. Grant (2 Aps, Ptn) | | Stump v. Gaby (Ap) |
| Haigh v. Gray (Ap) | | Wyke v. Rogers (Ap) |
| Thornes v. Harper (Ap) | | Cutts v. Salmon (Ap) |
| Seagrave v. Pope (Ap) | | Jones v. Price (Ap) |
| Jones v. Lewis | { (2 Aps) | Price v. Maclean |
| Same v. Owen | | (Ap) |
| Same v. Lewis | | Gibbon v. Fletcher (Ap) |
| Percival v. Caney (Ap) | | Scrivenor v. Smith (Ap) |
| Ogle v. Morgan (Ap) | | |

Before the LORDS JUSTICES, at Lincoln's Inn.

| APPEALS. | | Coope v. Carter (Ap) |
|---------------------------|--------|-------------------------------|
| Pelly v. Wathen (Ap) | | Bayden v. Watson |
| Smith v. Smith (Ap) | | Lardner v. Paine |
| Kekewick v. Manning (Ap) | | Swift v. Grazebrook (Ap) |
| Att.-Gen. v. Murdock (Ap) | | Robinson v. Robinson (Ap) |
| Toft v. Stephenson | { (Ap) | Bell v. Rea |
| Graham v. Reeves | | (Ap) |
| Reynell v. Sprye (Ap) | | Duke of Leeds v. Earl Amherst |
| Salomons v. Laing (Ap) | | (Ap) |
| Price v. Griffith (Ap) | | Newman v. Hutton (Ap, M) |

| | | |
|-------------------------------------------------------|--------|----------------------------------------------------|
| Watts v. Symes | { (Ap) | North Staffordshire Railway Co. v. Wheildon (Ap) |
| Same v. Hernaman | | Robinson v. Robinson (Ap) |
| Allen v. Wilson (Ap) | | Hele v. Lord Bexley (Ap) |
| Miller v. Priddy (Ap) | | Dean and Chapter of Ely v. Bliss (Equity reserved) |
| Blenkinsopp v. Blenkinsopp (Ap) | | Gundry v. Pinnegar (Ap) |
| Sharp v. Taylor (Ap) | | Bolton v. Powell |
| Welleale v. Wellesley (Ap) | | Howard v. Earle |
| Evans v. Evans (Ap) | | Brown v. Cross (Ap) |
| Barnett v. Sheffield (Ap) | | Webb v. Portsmouth Railway Co. (Ap) |
| Waters v. Mynn (Ap) | | Monypenny v. Dering (Ap) |
| Jones v. Parry (Ap) | | Whicker v. Hume |
| Kynaston v. Lancashire and Yorkshire Railway Co. (Ap) | | Hume v. Piper |
| Same v. Same (Ap) | | Norris v. Wright (Ap) |
| Chappel v. Rees (Ap) | | |

Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.

The Causes and Claims marked thus * are from Lord Cranworth's List of Causes.

| | |
|-----------------------------------------------------------------------|--------------------------------------------------------------|
| Russell v. Scarlock (E as to import.) | *Mayor, &c. of Huntingdon v. Great Northern Railway Co. (Cl) |
| Fox v. Daly (Cl) | Vernall v. Vernall |
| Bradberry v. Broadhead | Goode v. West (Cl) |
| Luntley v. Hoby | Pottle v. Beaman (Cl) |
| Fordham v. Wallis (2 causes) | *Allen v. Crawshaw |
| Maynard v. Higgins | *Hughes v. Wells (3 causes) |
| Bridges v. Mawe (Cl) | Webster v. Taylor |
| *Withers v. Birmingham and Oxford Junction Railway Co. | *Champion v. Mayor, &c. of Gravesend (Cl) |
| Burt v. Westbrook (Cl) | *Long v. Storie |
| Halden v. Halden (Cl) | Williams v. Roper (Cl) |
| *Bromitt v. Moore (Cl) | Godwin v. Scorey (Cl) |
| Bealey v. Hull (Cl) | Tyler v. Evans (2 causes) |
| Nash v. Hodgson (Cl) | Evans v. Evans (Can. & Cl) |
| *Gregory v. Wilson | Parker v. Lake (Cl) |
| Russell v. Jackson (Part hd.) | Tweedale v. Johnson |
| <i>S O</i> | Pike v. Bullock (Cl) |
| Chant v. Brown | Blaxland v. Blaxland |
| *Payne v. Cooke (Cl) | Webber v. Webber (Cl) |
| *Lambie v. Lambie (Cl) | Hezeldine v. Cragg |
| *Hervey v. Cooke | *Last v. Goldsmith |
| *Porter v. Hannam (Cl) | Nathan v. Brandon (2 causes) |
| Oxford v. Gibson (Cl) | *Fryer v. Durant (Cl) |
| Whitworth v. Rhodes (2 can.) | *Pearce v. Moyhew (Cl) |
| Burnett v. Martin (Cl) | Salmon v. Lunn (Cl) |
| *Newman v. Mather | Andrews v. Patzcker (Cl) |
| *Harvey v. Burrows (Cl) | *Higgs v. Magnay (Cl) |
| *Smith v. Mules | Richardson v. Eyton (Cl) |
| *Knight v. Knight (Cl) | Newing v. Gerard |
| Bolton v. Michel (Cl) | Crossley v. Crowther (Cl) |
| *Jones v. Maggs (Cl) | Hunter v. Clark (Cl) |
| *Sergison v. Adey | *Granger v. Poole (Cl) |
| Cobb v. Duck | Smith v. Park (Cl) |
| *Chivers v. Wood (Cl) | Davies v. Holmes (F D) |
| *Page v. Cox | *Roumieu v. Smith |
| Welch v. Callis (Cl) | *Billage v. Southes |
| Hewitt v. Loosemore | *Morrell v. Tinkler |
| Norbury v. Green | Watson v. Butler (Cl) |
| Sawyer v. Duncan (Cl) | *Lewis v. Gotbed (Cl) |
| Douglas v. Horton | Heath v. Baker |
| Franks v. Franks (Cl) | *Nugee v. Dean (Cl) |
| *Dennett v. Pepper (Cl) | Burrows v. Walls |
| Bates v. Fenwick (Cl) | Reeves v. Trenchard (Cl) |
| *Bates v. Bates | *Mousley v. Agar |
| Life v. Watson | *Dowell v. Cooper (Cl) |
| Sherwood v. Vincent | Dyson v. Dyson |
| Lugar v. Eutler | Rogers v. Mort |
| Gandy v. Hodges (Cl) | Ross v. Great Western Railway Co. (Cl) |
| Turnball v. Wawn (Cl) | King v. Phillips |
| *Stringer v. Stag (Cl) | Ravenhill v. Lloyd (Cl) |
| Curling v. Newton | *Tanner v. Higham (Cl) |
| *Catlin v. Brown | *Hughes v. Morris (2 causes) |
| *Grand Trunk or Stafford and Peterborough Union Railway Co. v. Brodie | Crosse v. Lawrence (Cl) |
| *Same v. Sturgis | Same v. Keene (Cl) |
| *Carlton v. Mercer (Cl) | Same v. Young (Cl) |
| | Same v. Rennie (Cl) |

Crosse v. Phillips (Cl)
 Same v. Frotheroe (Cl)
 Cottingham v. Doughty (Cl)
 *Blakey v. Duke of Montrose
 *South Wales Railway Co. v. Clarke
 Wilks v. Penton
 Oldfield v. Lord Seymour (Cl)
 *Smith v. Shave (Cl)
 *Att.-Gen. v. Hull (2 causes)
 Storer v. Smith
 Hertzell v. Smith
 Colchester, Stour Valley, &c. Railway Co. v. Gooday (Cl)
 *Towns v. Farmer (Cl)
 *George v. Wilkinson (Cl)
 *Millican v. Vanderplank (Cl)
 Jones v. Jones
 Powell v. South Wales Railway Co.
 Holloway v. Poole (Cl)
 Rice v. Rice
 *Drury v. Merivale (Cl)
 Ford v. Ford
 Tatham v. Platt
 Sugden v. Myers (Cl)
 Hall v. Mott
 Surtees v. Irving (Cl)
 Rochford v. Hackman (Cl)
 White v. Scowen (Cl)
 Gordon v. Henning (Cl)
 Bradwell v. Bolton (Cl)
 Whitwell v. Pratt
 Crump v. Dowding
 Vine v. Todd
 Ward v. Miles
 Harvey v. Blount (Cl)

Adams v. Jones (Cl)
 Westacott v. Westacott (Cl)
 Flower v. Becke (Cl)
 Thomas v. Thomas (Cl)
 Cooke v. Young (Cl) SA
 Gooding v. King (Cl)
 Young v. Jones (Cl)
 Grice v. Shaw (Cl)
 Cooke v. Masters (Cl)
 Hibon v. Holland (Cl)
 Jones v. Sisson (Cl) SA
 Hutchinson v. Hutchinson (Cl)
 Jones v. Churton (Cl) SA
 Wright v. Lamb (Cl)
 Bunting v. Morrell (Cl)
 Crosse v. Logan (Cl)
 Paul v. Harward (Cl)
 Saunders v. Walter (3 causes)
 Hills (younger) v. M' Rae (Cl)
 Langton v. Barton
 Clarke v. Foster (Cl)
 Wilkinson v. Field
 Lucas v. Golder (Cl)
 Shaw v. Johnson (Cl)
 Rawlinson v. Wass (Sp. case)
 Scales v. Collins (Special case)
 Greenway v. Bromfield (F D, C)
 Heaps v. Whittaker (Amd. Cl)
 Glyn v. Glyn (Cl) SA
 Owen v. Hotham (Cl)
 Johnson v. Timmins (Sp. case)
 Kent v. Kent (Special case) SA
 Walker v. Tipping (Cl)
 Derrick v. Derrick (Cl)
 Wright v. Wright (Sp. case)
 Wright v. Woodhead (Sp. ca.)

Cox v. Sturgis
 Cooke v. Cunliffe (Eq. resd.)
 Ridley v. Ridley
 Crackenthorpe v. Jouning (F D, Ptn)
 Eadon v. Branson (Cl)
 Browne v. Browne (Cl)
 Davies v. Davies
 Lees v. Lees
 Nedby v. Nedby (F D, C)
 Harrop v. Lees (Cl)
 Cooke v. Courteney
 Richards v. Coulthred (F D, C)
 Greathead v. Elliott (Cl)
 Ware v. Polhill
 Newcombe v. Lloyd (Cl)
 Sparrow v. Hilton (Cl)
 Constable v. Bull (F D, C)
 Heyne v. Tyler (E)
 Waugh v. Waugh (F D, C)
 Blair v. Ormond (F D, C)
 Winter v. Innes (E, F D, C)
 Pyatt v. Nixon
 Wood v. Ridgway (2 causes)
 Scott v. Palmer (Cl)
 Wilson v. Bennett (Sp. case)
 Claggett v. Kymer (Cl)
 Moss v. Moss
 Jones v. Phelps (Cl)
 Blash v. Jones (Cl)
 Kempe v. Kempe (Cl)
 Warren v. Warren
 Bailey v. Brookhouse (F D) }
 Barnes v. Same (2 Cls)
 Ridgway v. Wood
 Wood v. Talley
 Bridger v. Bridger
 Att.-Gen. v. Barker (F D, C)
 Williams v. Thomas (Cl)
 Birchall v. Birch (Cl)
 Carr v. Smallpiece (E)
 Stour v. Thompson (F D, C)
 Winnall v. Dart
 Edwards v. Brassey (Cl)
 Thrale v. Masters (Cl)
 Whitgrave v. Sturgis
 Orphan Asylum v. Stokes (F D, C)
 Hunter v. Marton
 Last v. Else (Cl)
 Hawdon v. Hawdon
 Davey v. Miller (F D, C)
 Durnford v. Miles
 Crosse v. Duke of Beaufort (Cl) SA
 Bird v. Breese (Cl) SA
 Thorp v. Harvey (F D, C)
 Davies v. Goode
 Gabb v. Comely
 Otte v. Castle (Cl) SA
 Coomer v. Bromley
 Webb v. Webb (Cl)

Jones v. Lloyd (E)
 Sayre v. Cramp
 Lake v. Lake (Cl)
 Thistlethwayte v. Garmier (Sp. case)
 Coleridge v. Colleton (F D, C)
 Osmond v. Fisher
 Webb v. Ledicott (F D, C)
 Gregory v. Smith (F D, C) SA
 Horn v. Coleman (3 causes)
 Giles v. Dixon (Cl)
 Hall v. Nalder (Cl)
 Fynney v. Fynney (Cl)
 Calhoun v. Bridger (F D, C)
 Seavins v. Burton (F D, C)
 Richards v. Troup (Cl)
 Thomas v. Thomas (Cl)
 Munk v. Cole
 Shields v. Jenks (Cl)
 Middleton v. Middleton (Cl)
 Ninham v. Rose (Cl)
 Smallwood v. Thompson (Cl)
 Perry v. Heys (2 causes)
 Jones v. Jones (F D, C)
 Bailey v. Harries (Cl)
 Tardrew v. Bouville (Cl)
 Pigott v. Pigott (F D, C)
 Gooday v. Colchester & Stour Valley Railway Co.
 Neave v. Campbell (F D, C)
 Grove v. Young (F D, C)
 Mather v. Norton (Cl)
 Simkins v. Simkins (Cl)
 Bellow v. Derry (Cl)
 Bateman v. Margerison (2 ca.)
 Law v. Horsfall
 Locke v. Locke (F D, C)
 Tuely v. Atkins (Cl)
 Williams v. Nalder
 Hutchinson v. Newark
 Cary v. Parkes
 Iveson v. Hanaley (Cl)
 Hay v. Willoughby (F D, C)
 Silvester v. Clarke
 Hope v. Threlfall
 Ashley v. Alldew (F D, C)
 Arden v. Copeland (Cl)
 Thornton v. Hely (Cl) SA
 Bath v. Hippeasley (F D, C)
 Bell v. London and North-western Railway Co.
 Durrant v. Friend (F D, C)
 Torriano v. Wilkinson (Cl)
 Robinson v. Robinson (Cl)
 Barnes v. Milburn (Cl)
 Daniel v. Davies
 Jarrett v. Eastern Union Railway Co. (Cl)
 Berry v. Same (Cl)
 Homston v. Briscoe (F D, C)
 Meredith v. Farr (F D, C)
 Maples v. Foster (Cl).

Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.

Smith v. Edwards (E, for ins.)
 Williams v. Chard (D)
 Wells v. Wales (E, for imp.)
 Russell v. Hotham (E, to ans.)
 Bloem v. Hall (D)
 Smeed v. Smeed (Cl)
 Woodford v. Woodford (Cl)
 Potts v. Thames Haven Dock and Railway Co. (Cl)
 Garnett v. Shoesmith (Cl)
 Derbyshire v. Horne (2 caus.)
 Hartlands v. Dancocks
 King v. Savery (2 causes)
 Burbridge v. Cotton
 Shipman v. Chattock (2 caus.)
 Thackwell v. Gardiner (2 cau.)
 Harper v. Munday
 Newton v. Lamb
 Ward v. Ward
 Messenger v. Messenger (Sp. case)
 Drosier v. Brereton
 Cato v. Irving (Special case)
 Chorley v. Cuff
 Taylor v. Frobisher (Sp. case)
 Spackman v. Holbrook
 Munday v. Waghorn
 Phillipson v. North
 Nickson v. Lloyd
 Kough v. Westmacott (Cl)
 Wright v. Moore
 Cumming v. Bishop (F D, C)
 Broadley v. Harvey
 Cocker v. Horn
 Powys v. Martin
 Hutchinson v. Teychenne (F D, C)
 Rigby v. Morris
 Caird v. Tomkyns (F D, C)
 Smith v. Ricardo
 Farrance v. Veley (F D, C)

Mallinson v. Holt
 Hyett v. Pocock (2 causes)
 Bolton v. Williams (2 causes)
 Molesworth v. Taylor
 Lewis v. Lewis (Cl)
 Lee v. Holmes
 Holloway v. Gardiner (Cl)
 Wheelodon v. Perkins (F D, C)
 Pearce v. Watkins
 Coomber v. Baugh
 Warde v. Leigh
 Adkins v. Bliss
 Baldwin v. Baldwin (F D, C) }
 Milnes v. Same (Cause, Ptn) }
 Calvert v. East and West India Docks and Birmingham Junction Railway Co.
 Harrison v. Round
 Ware v. Watson (2 causes)
 Walsh v. Wordsworth (Cl)
 Leigh v. Warde
 Pomeroy v. Ayahford
 Sowden v. Marriott (F D, C)
 Johnson v. Ball (Cl)
 Dutton v. Lowndes
 Hedges v. Hedges (E, F D)
 Lockwood v. Fenton
 Egremont v. Lee (F D, C)
 Attorney-Gen. v. Munro (E, F D)
 Rittson v. Stordy
 Vincent, Bart., v. Hunter
 Lee v. Barker
 Wilson v. Still (Cl)
 Hume v. Bentley (E)
 Hunter v. Nockolds
 Cutler v. Olive (Special case)
 Strutt v. Braithwaite
 Woods v. Robinson
 Boreham v. Bignall (F D, Ptn)
 Reekes v. Raper (Cl) SA

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

Macintyre v. Connell (E)
 Penny v. Goode (E)
 Clements v. Bowes (D)
 Lewes v. Lewes (Objection as to parties)
 Winthrop v. Elderton (Pl)
 Bartley v. Bartley (E)
 Sellick v. Badman (E)
 Le Blanc v. Ord (E to ans.)
 Goffe v. Edmunds (E to ans.)
 Howard v. Griffiths (E to ans.)
 Cooper v. Earl of Powis (Objection as to parties)
 Salmon v. Dean (E as to insurf.)
 Wright v. Vernon (D)

Green v. Green (E to answer)
 Da Keyne v. Flint (E to ans.)
 Hambrook v. Smith (E to ans.)
 Beasley v. Wilson (F D)
 Pugh v. King (F D, C)
 Nelson v. Hopkins
 Deighton v. Wheeler
 Alliborne v. Walker (3 causes)
 Fidkin v. Webb (F D)
 Lilley v. Medlicott (2 causes)
 Attorney-Gen. v. Andrews
 Gibson v. Gibson
 Galland v. Watson (F D)
 Chapels Enlargement Society v. Barlow

Lord v. Weightwick (E, F D)
 Jones v. Morrall (F D)
 Bickford v. Bickford (E)
 Sewell v. Monypenny
 Johnson v. Farris (Cl)
 Miles v. Durnford
 Whitwell v. Vipan (2 Cls)
 Birch v. Joy (E)
 Stapleton v. Stapleton (Cl)
 Same v. Same (Sp. case)
 Gray v. Gray
 Bennet v. Burrell
 Hand v. Wells (Cl)
 Eales v. Pitt
 Rackstraw v. Meacher (F D, Ptn)
 Thorold v. Bailey (Cause, Ptn)
 Forbes v. Kemahad
 Pierce v. Griffiths (F D)
 Atkinson v. Gylby (E, F D)
 Barker v. Attorney-Gen.
 Longstaff v. Rennison (F D)
 Flood v. Browne
 Parkyn v. Wightwick
 Collett v. Newnham
 Owen v. Derbyshire (Cl)
 Gabriel v. Stratton
 Hardy v. Hull (F D)
 Panter v. Panter
 Barlow v. Lantour
 Bush v. Windey (E, 2 sets)
 Calvert v. Seabright (E)
 Middleton v. Middleton (F D)
 Frost v. Hilton (F D)
 Symonds v. Winston (F D)
 Whitworth v. Brogden (3 ca.)
 Alice Fletcher v. Moore
 Ball v. Barker (F D)
 Oddie v. Tattersall (F D)
 Aufreue v. Hill (E, F D)
 Brown v. Smith (E)
 Brown v. Paul (2 causes)
 Fazakerley v. Gillibrand (E, F D)
 Fletcher v. Gerrard (2 causes)
 Att.-Gen. v. Wilshere (F D)
 Holl v. Gedge (F D)
 Polley v. Seymour (F D)
 Gladow v. Hull Glass Co. (F D)
 Stockwell v. Goldsborough (2 Cls)
 Hiles v. Moore (E, Ptn)
 Bradley v. Munton (E, Cau.)
 Sturgis v. Arrowsmith (F D)
 Randall v. Parkinson (F D)
 Wilkinson v. Hartley (E)
 Same v. Same (F D)
 Waldron v. Sloper (Cl)
 Clarke v. Font (F D, C)
 Goodale v. Goodale
 Kensit v. Stratford (F D, Ptn)
 Rose v. Gould (F D, C)
 Attorney-Gen. v. Trevelyan
 Langton v. Duke of Portland (Cl)
 Gardner v. Smithson (Cl)
 Vigurs v. Vigurs (E)
 Barron v. Lancefield (Cause)
 Butterfield v. Heath (E)
 Johnson v. Johnson (F D, C)
 Davis v. Gray (E)
 Rodney v. Rodney (F D, C)
 White v. Jackson (F D, C)
 Jackson v. Brooke (F D, C)
 Wellesley v. Wellesley (E)
 Countess of Mornington v. Earl of Mornington
 Boothby v. Graves (F D, C)
 Dennitt v. Elwick (Cl)
 Winter v. Elwick (Cl)

Bird v. Smith (F D)
 Lake v. Currie (E)
 Long v. Watkinson (F D, C)
 Long v. Long (Cause)
 Williams v. Powell (E)
 Same v. Same (F D, C)
 Blakiston v. Browne (F D, C)
 Thornton v. Ellis (F D, C)
 Same v. Same (Cause)
 Gray v. Gray
 Butler v. Oxenham (F D, C)
 Cave v. Cave
 Hitchcock v. Jaques (F D, C)
 Brophy v. Bellamy (F D)
 Platel v. Stapleton (2 Cls)
 Case v. Durrant (Cl)
 Wellings v. Price (Cl)
 Towell v. Simper (Cl)
 Best v. Tynte (2 causes)
 Evans v. Evans
 Alice Fletcher v. Mulliner
 Ellis Fletcher v. Windsor
 Holliday v. Overton (Cl)
 Turner v. Boulton (Cl)
 Hoghton v. Hoghton (2 caus.)
 Ellis Fletcher v. Gerrard
 Windsor v. Milliner
 Phipps v. Stone (Cl)
 Sutton v. Smith (2 causes)
 Begg v. Trecothick (Cl)
 Tibbs v. Killingback (Cl)
 Towsey v. Smith (Cl)
 Cattle v. Vincent
 Jackson v. Grant
 Newman v. Baker (Cl)
 O'Brien v. Nugent
 Greene v. Flowers
 Collard v. Sampson (Cl)
 Mangin v. Mangin
 Hamilton v. Baldwin (Sp. ca.)
 Phillips v. Lewis (F D, C)
 Shrewsbury and Birmingham Railway Co. v. London and North-western Railway Co.
 Brodhurst v. Snow (Cl)
 Blackburn v. Long
 Perkins v. Underwood (F D, C)
 Ive v. King (F D, C)
 Hitchcock v. Beaulerck (Cl)
 Grieves v. Rawley (Cl)
 Beattie v. Grey (Cl) SA
 Challis v. Daniel
 Burleigh v. Farratt (F D, C)
 Ker v. Chapman (F D, C)
 Green v. Flowers
 Edmonds v. Goater (E, F D)
 Turner v. Deane (Cl)
 Price v. Lovett
 Brown v. Munro
 Windsor v. Windsor (2 causes)
 Henderson v. Robson (Cl)
 Parker v. Carter (Cl)
 Thomas v. Townsend (Cl)
 Willis v. Jones (F D, C)
 Stonor v. Stonor (2 causes)
 Same v. Same (2 causes)
 Blaikie v. Clarke (2 causes)
 Morris v. Owens (Cl) SA
 Knott v. Coltee
 Same v. Prier (E, F D)
 Same v. Morris
 Morrison v. Richardson
 Swainson v. Muncaster (F D, C)
 Jackson v. Pearson (Cl)
 Fotheringham v. Smales (F D, C)
 Parsons v. Benn (F D, C)
 Brown v. Heath (Cl)
 Ford v. Duley (Cl) SA

Welch v. Coles (Cl)
 Shephard v. Shephard (Cl)
 SA
 Harvey v. Stracey (F D, C)
 Turner v. Lang (F D, C)
 Bond v. Strother (F D, C)
 Bell v. Bell (F D, C)
 Ord v. Schneider
 Lloyd v. Lloyd (F D, C)
 Bodenham v. Hoskins (2 cau.)

Coleman v. Howard
 Vanzeller v. Parrott
 Blake v. Phibbs (F D, C)
 Robson v. Lord Brougham and Vaux
 Geib v. Dibley (Re-hearing)
 Plunkett v. Dutton (F D, C)
 Petre v. Petre
 Pellett v. Jones (F D, C)
 Barton v. Dixon (F D, C).

LONDON GAZETTE.

TUESDAY, NOVEMBER 4.

BANKRUPTS.

GEORGE MAHON and WILLIAM STEPHEN MUMMERY, Avery-row, Bond-st., Middlesex, paper stainers, dealers and chapmen, (lately carrying on business under the style or firm of Mahon & Mummery), Nov. 14 and Dec. 18 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Gidley, 11, Crosby Hall-chambers.—Petition filed Oct. 25.

HENRY SANDERS, Upper Thames-st., London, wholesale cheesemonger, Nov. 14 and Dec. 18 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Lawrance & Co., Old Jewry-chambers, Old Jewry.—Petition filed Oct. 23.

EDWARD JONES, Strand, Middlesex, woollendrapers, tailor, dealer and chapman, Nov. 14 and Dec. 19 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. J. & J. H. Linklater, 17, Sise-lane, Bucklersbury.—Petition filed Nov. 1.

RICHARD HOWTON CUMING, Lamb's Conduit-street, Middlesex, bookseller and stationer, dealer and chapman, Nov. 14 at 11, and Dec. 19 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Hubbard, 18, Bucklersbury.—Petition filed Nov. 1.

JOHN DREW, Hampton Gay Mills, Hampton Gay, Oxfordshire, paper maker, dealer and chapman, Nov. 18 at 2, and Dec. 11 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Skynner, 19, Coleman-street, City.—Petition filed Oct. 24.

WILLIAM JONES, New-road, Whitechapel, Middlesex, and East Ham, Essex, cowkeeper and dairyman, Nov. 12 at 1, and Dec. 20 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Nind, Clement's-lane, Lombard-street.—Petition dated Nov. 3.

THOMAS EKIN, Cambridge, spirit merchant, dealer and chapman, Nov. 12 at half-past 1, and Dec. 20 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. E. & E. Foster, Cambridge; J. & C. Cole, 4, Adelphi-terrace, Strand, London.—Petition dated Nov. 3.

WILLIAM EDWARDS, lately residing at Croft, Hastings, but now residing at Brighton, Sussex, carpenter and builder, Nov. 21 at 12, and Dec. 11 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Spiller, 3, South-place, Finsbury.—Petition filed Oct. 27.

JOHN FLETCHER, Netherton, Dudley, Worcestershire, publican, dealer and chapman, Nov. 17 and Dec. 6 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Hayes & Son, Halesowen; Mottram & Co., Birmingham.—Petition dated Oct. 30.

THOMAS GODDARD, Derby, brush manufacturer, Nov. 21 and Dec. 5 at 10, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Petition dated Oct. 27.

JOSEPH ADAMS, Halghton, Hanmer, Flintshire, cheese dealer, Nov. 17 and Dec. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Evans & Son, Liverpool.—Petition filed Oct. 25.

THOMAS RAMSDEN, late of the city of Chester, timber merchant, dealer and chapman, since residing at Douglas, Isle of Man, and now residing at Liverpool, out of business, Nov. 13 and Dec. 11 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Yates, jun., Liverpool.—Petition filed Oct. 31.

DAVID HOOD, Chorley, Lancashire, bleacher, dealer and chapman, Nov. 20 and Dec. 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Bickerstaff & Myres, Preston.—Petition filed Oct. 24.

MEETINGS.

Timothy Ross, Strangeways, Manchester, furniture dealer, Nov. 14 at 12, District Court of Bankruptcy, Manchester, and ac.—*Richard Northover*, Skinner-street, Bishopsgate-street, and Cheapside, London, lint manufacturer, Nov. 25 at 12, Court of Bankruptcy, London, div.—*Richard Coleman Kingsford* and *Henry Lowry Barnwell*, Seaton, Ickham, Kent, and Catherine-court, Tower-hill, London, millers, Nov. 27 at 11, Court of Bankruptcy, London, div.—*John Croome*, Bristol, manufacturing engineer, Nov. 28 at 11, District Court of Bankruptcy, Bristol, 8n. div.—*George Herring*, Rochdale, Lancashire, ironfounder, Nov. 27 at 12, District Court of Bankruptcy, Manchester, div.—*Samuel Hamilton Watson* and *John Kingston*, Rochdale and Burnley, Lancashire, mercers, Nov. 27 at 12, District Court of Bankruptcy, Manchester, div.—*Wm. Watts*, Ashton-under-Lyne, Lancashire, draper, Nov. 27 at 12, District Court of Bankruptcy, Manchester, div.—*Robert Derham*, Leeds, Yorkshire, and *Walter Alan Hinde* and *Jas. Derham*, Dolphinholme, Lancashire, worsted spinners, Nov. 29 at 12, District Court of Bankruptcy, Leeds, 8n. div. sep. est. of *Robert Derham*, and first and 8n. div. sep. est. of *Walter Alan Hinde* and *James Derham*.—*Edward Alanson*, Liverpool, wine merchant, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, div.—*John Russell*, Altham-mills, near Blackburn, Lancashire, miller, Nov. 28 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

David Gideon, Mimories, London, and Uxbridge, Middlesex, clothier, Nov. 26 at 1, Court of Bankruptcy, London.—*Zachariah Warren*, Ardleigh, Essex, miller, Nov. 26 at 12, Court of Bankruptcy, London.

To be granted, unless an Appeal be duly entered.

Richard Budgen, Llanbilleth, near Newport, Monmouthshire, ironfounder.—*Samuel Cherry*, Liverpool, broker.—*Henry Gladwell Mortimer* and *James Mortimer*, Nayland, Suffolk, builders.

PARTNERSHIP DISSOLVED.

Thomas Shepherd and *Thomas Simpson*, Beverley, Yorkshire, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Conrad Jochell, Edinburgh, butcher.—*William Gwerley*, Stewartfield, near Edinburgh, hotel keeper.—*Robert Burns*, Glasgow, commission merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Jabez Gathergood, Huntingdon, carpenter, Nov. 25 at 10, County Court of Huntingdonshire, at Huntingdon.—*J. Haslop*, Cambridge, cordwainer, Nov. 17 at 10, County Court of Cambridgeshire, at Cambridge.—*G. Wing*, Cambridge, publican, Nov. 17 at 10, County Court of Cambridgeshire, at Cambridge.—*William Taylor*, Great Driffield, Yorkshire, out of business, Nov. 18 at 10, County Court of Yorkshire, at Great Driffield.—*George Hanman*, Gloucester, baker, Nov. 27 at 10, County Court of Gloucestershire, at Gloucester.—*Wm. Tate*, Manchester, fishmonger, Nov. 14 at 10, County Court of Lancashire, at Manchester.—*John Welden*, New Romney, Kent, baker, Nov. 19 at 11, County Court of Kent, at New Romney.—*John Griffiths*, Caethedine, Breconshire, farmer, Nov. 1 at 2, County Court of Carmarthenshire, at Carmarthen.—*Benjamin Cooke* the elder, Thornhill Edge, near Dewsbury, Yorkshire, labourer, Nov. 21 at 11, County Court of Yorkshire, at Bradford.—*Alexander Robertson*, Horton, Bradford, Yorkshire, presser, Nov. 21 at 11, County Court of Yorkshire, at Bradford.—*John Pelley*, Dover, Kent, greengrocer, Nov. 12 at 10, County Court of Kent, at Dover.—*C. Pope*, Dover, Kent, never in any profession, Nov. 12 at 10, County Court of Kent, at Dover.—*Thos. Bradley*, Chesdale, Cheshire, traveller, Nov. 19 at 11, County Court of Derbyshire, at Chesterfield.

Saturday, Nov. 1.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Jos. Nelson, Bride-lane, Fleet-street, London, and South-

ampton, tobaccoconist: in the Debtors Prison for London and Middlesex.—*John Reek*, Red Lion-street, Clerkenwell, Middlesex, carrier: in the Queen's Prison.—*Thomas Borton*, Little Earl-street, Seven Dials, Middlesex, cheesemonger: in the Debtors Prison for London and Middlesex.—*Wm. Marshall*, Chesnut-cottage, Upper Tottenham, Middlesex, boot and shoe manufacturer: in the Debtors Prison for London and Middlesex.—*Jas. Barker*, Throgmorton-st., London, assistant to a bookseller: in the Debtors Prison for London and Middlesex.—*Thomas Marchant*, Knight's-buildings, New-road, North End, Fulham, Middlesex, whitesmith: in the Debtors Prison for London and Middlesex.—*John G. Wise*, Queen-street, Cheapside, London, boot maker: in the Debtors Prison for London and Middlesex.—*Wm. Broom*, Great Ormond-yard, Great Ormond-street, Bloomsbury, Middlesex, coachsmith: in the Debtors Prison for London and Middlesex.—*R. Read*, Gravesend, Kent, in no occupation: in the Queen's Prison.—*Thomas Kilsby*, Kingston-upon-Thames, Surrey, hat manufacturer: in the Gaol of Surrey.—*Thomas Keeley*, Onslow-terrace, Lorimer-road, Walworth, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*J. H. S. Wildemith*, Gloucester-street, Queen-sq., Bloomsbury, Middlesex, experimental chemist: in the Debtors Prison for London and Middlesex.—*Henry Hearn*, High-street, Old Brentford, Middlesex, hair dresser: in the Debtors Prison for London and Middlesex.—*John William Monk*, Brick-street, Engene-street, Piccadilly, Middlesex, house agent: in the Debtors Prison for London and Middlesex.—*E. W. Uren*, Totnes, Devonshire, builder: in the Debtors Prison for London and Middlesex.—*Thomas Petty*, Mill-green, Holbeck, Leeds, Yorkshire, farmer's assistant: in the Gaol of York.—*James Jackman*, Crendon, Buckinghamshire, farmer: in the Gaol of Aylesbury.—*Samuel Cock*, Great Missenden, Buckinghamshire, tailor: in the Gaol of Aylesbury.—*James Hill*, Exeter, farrier: in the Gaol of Exeter.—*Thomas Moore*, Netherton, near Huddersfield, Yorkshire, cloth finisher: in the Gaol of York.—*Thomas Barratt*, Wakefield, Yorkshire, farmer: in the Gaol of York.—*George King Longdon*, Cheltenham, Gloucestershire, stone mason: in the Gaol of Gloucester.—*Joseph Fantham*, Elleborough, Buckinghamshire, licensed victualler: in the Gaol of Aylesbury.—*Ambrose Bryant*, March-green, Edenbridge, Kent, licensed victualler: in the Gaol of Maidstone.—*Thomas Pattison*, Bishopwearmouth, Durham, gardener: in the Gaol of Durham.—*Mich. Herring*, Stoney Bridge, Bellbroughton, Worcestershire, farmer: in the Gaol of Worcester.—*John Beavers*, Longwood, Yorkshire, dyer: in the Gaol of York.—*Joseph Robinson Proctor*, Manchester, furniture broker: in the Gaol of Lancaster.—*Thos. Wm. Berry*, Lancaster, commercial traveller: in the Gaol of Lancaster.—*Joseph Fryer*, Bristol, Somersetshire, coal merchant: in the Gaol of Bristol.—*W. Duncan Lindsey*, Liverpool, pump maker: in the Gaol of Lancaster.—*Thomas Mop*, Manchester, boot maker: in the Gaol of Lancaster.—*Henry Mercer Sudlow*, Liverpool, commission agent: in the Gaol of Lancaster.—*Robert Cook Saunders*, Wembdon-cottage, near Bridgwater, Somersetshire, artist: in the Gaol of Wilton.—*James Taylor*, Greenheys, Manchester, carrier: in the Gaol of Lancaster.—*George Terry*, Leadenhall-street, London, cook: in the Queen's Prison.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 18 at 11, before the CHIEF COMMISSIONER.

Thomas Mackern, Pavement, Clapham-common, Clapham, Surrey, surgeon.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cambridgeshire, at CAMBRIDGE, Nov. 17 at 10.

Joseph Swannell, Fen Drayton, butcher.

At the County Court of Somersetshire, at TAUNTON, Nov. 20.

Thomas Files, Walcot, Bath, in no business.—*Jos. Harvey*, Yeovil, plumber.—*William Reynolds*, Pitney, near Langport, out of business.

At the County Court of Buckinghamshire, at AYLESBURY, Nov. 26 at 12.

Samuel Cock, Great Missenden, tailor.—James Jackman, Long Crendon, farmer.—Joseph Panham, Ellenborough, licensed victualler.

FRIDAY, NOVEMBER 7.

BANKRUPTS.

ELY KITSON, Fenchurch-street, London, saddler and harness maker, dealer and chapman, Nov. 14 at half-past 11, and Dec. 16 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Buchanan, Basinghall-street.—Petition filed Nov. 5.

JOSEPH BATTYE LOUIS BUCKLAND, Threadneedle-street, London, and Regent-villas, Avenue-road, Regent's-park, Middlesex, insurance agent, broker, dealer and chapman, Nov. 14 at 1, and Dec. 16 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Cox, Finsers' Hall, Broad-street.—Petition filed Nov. 4.

GEORGE SMITH, Walter's-buildings, Old Kent-road, Surrey, corn merchant, dealer and chapman, Nov. 15 and Dec. 13 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Moss, 12, Gray's-inn-square, Holborn, and Asylum-road, Old Kent-road, Surrey.—Petition dated Nov. 1.

AUSTIN ROBERT STACE, Strood, Kent, ironmonger, dealer and chapman, Nov. 21 and Dec. 20 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Co., Old Jewry-chambers, London.—Petition dated Nov. 3.

WILLIAM JAMES, Villas-road, Plumstead, Kent, builder, dealer and chapman, Nov. 19 at 12, and Dec. 16 at half-past 11, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hensman, 25, College-hill.—Petition filed Nov. 6.

WILLIAM SIMMONDS, Brighton, Sussex, grocer, dealer and chapman, Nov. 18 at half-past 1, and Dec. 15 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Kennett, Brighton; Sowton, 6, Great James-st., Bedford-row.—Petition filed Nov. 1.

AUGUSTUS RADCLIFFE the younger, Chichester-place, Gray's-inn-road, Middlesex, window-glass merchant, Nov. 21 at 2, and Dec. 15 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Taylor, 15, South-street, Finsbury-square.—Petition filed Oct. 30.

WILLIAM JOHN MIALI, Ingram-court, Fenchurch-st., London, and St. Peter's-terrace, Islington, Middlesex, cement manufacturer, trader, dealer and chapman, Nov. 21 at 2, and Dec. 18 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. J. & J. H. Linklater, 17, Sisleane, Bucklersbury; Cobbold & Patteson, Bedford-row.—Petition filed Oct. 25.

FRANCISCO FRANCISCOWITZ BRAGGIOTTI, High-bury, Middlesex, and late of Manchester, merchant, (late carrying on trade at Manchester, and at Bury-court, St. Mary Axe, London, as a merchant, in partnership with Frank Castelli, Giovanni Battista Ginstiniani, Bizio Ginstiniani, Saverio Castelli, and Lionardo Ginstiniani, under the firm of Castelli, Ginstiniani, & Co.), Nov. 25 at 1, and Dec. 18 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Cotterill, Throgmorton-st.—Petition filed Nov. 4.

GEORGE MOREDEY MOWBRAY, Hove, Sussex, builder, plumber and glazier, dealer and chapman, Nov. 25 at 12, and Dec. 15 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Evershed, Brighton; Sowton, 6, Great James-street, Bedford-row.—Petition filed Oct. 27.

JOHN TOY, Wolverhampton, Staffordshire, innkeeper, dealer and chapman, Nov. 18 and Dec. 16 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sol. Hayes, Wolverhampton.—Petition dated Nov. 4.

SAMUEL HALL, Tipton, Staffordshire, miller, Nov. 20 and Dec. 16 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham.—Petition dated Nov. 4.

JOSEPH BAYLY CADBY, Malmesbury, Wiltshire, stationer, druggist, dealer and chapman, Nov. 20 and Dec. 18 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Church & Son, 9, Bedford-row, London.—Petition filed Nov. 5.

JOHN PHILLIPS, Birmingham, druggist and grocer, Nov. 17 and Dec. 9 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Chaplin & Co., Birmingham.—Petition dated Nov. 4.

CHARLES ISAACS, Bristol, furrier, dealer and chapman, Nov. 21 and Dec. 17 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Bevan, Bristol.—Petition filed Nov. 3.

HENRY CANNIFORD, Ottery St. Mary, Devonshire, innkeeper, dealer and chapman, Nov. 19 and Dec. 10 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Coleridge & Son, Ottery St. Mary; Terrell, Exeter.—Petition filed Nov. 4.

EDWARD HINDLEY, Liverpool, coal merchant and coal agent, Nov. 18 and Dec. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Casenove; Sols. Fletcher & Hull, Liverpool.—Petition filed Nov. 3.

MEETINGS.

Joseph Raphael, Liverpool, jeweller, Nov. 19 at 11, District Court of Bankruptcy, Liverpool, last ex.—*M. Pattison*, South Shields, Durham, ironmonger, Dec. 2 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—*Wm. Edmondson*, Eccleshill, near Bradford, Yorkshire, cloth merchant, Dec. 2 at 11, District Court of Bankruptcy, Leeds, last ex.—*Jas. Schofield*, Aldermanbury, London, warehouseman, Dec. 1 at 2, Court of Bankruptcy, London, and ac.—*Wm. W. Holman*, Bath, draper, Nov. 18 at 11, Court of Bankruptcy, London, and ac.—*Saml. Clegg*, *Thos. Malher*, and *Kenneth Pringle*, Etna Iron Works, West Derby, Lancashire, ironfounders, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, and ac.; Nov. 28 at 11, div.—*Thos. N. Assheton*, Liverpool, merchant, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Thos. Fletcher*, *Wm. S. Roscoe*, *Rich. Roberts*, *John Tarleton*, and *Fras. Fletcher*, Liverpool, bankers, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Robt. Guthrie* and *Colin Cook*, Liverpool, merchants, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, and ac.—*Wm. Gamble*, Liverpool, merchant, Nov. 27 at 11, District Court of Bankruptcy, Liverpool, and ac.; Nov. 28 at 11, div.—*Saml. H. Watson* and *John Kingston*, Rochdale and Burnley, Lancashire, mercers, Nov. 20 at 12, District Court of Bankruptcy, Manchester, and ac.—*George Herring*, Rochdale, Lancashire, ironfounder, Nov. 20 at 12, District Court of Bankruptcy, Manchester, and ac.—*Henry Charles*, Manchester, flour dealer, Nov. 21 at 12, District Court of Bankruptcy, Manchester, and ac.; Nov. 28 at 12, div.—*Wm. Watte*, Ashton-under-Lyne, Lancashire, draper, Nov. 20 at 12, District Court of Bankruptcy, Manchester, and ac.—*James McNamee*, Manchester, manufacturing chemist, Nov. 24 at 12, District Court of Bankruptcy, Manchester, and ac.; Dec. 1 at 12, fin. div.—*G. L. Owens*, Enniscorthy, Wexford, Ireland, woollendrapery, Nov. 24 at 12, District Court of Bankruptcy, Manchester, and ac.; Dec. 1 at 12, div.—*Michael Common*, North Shields, Northumberland, draper, Dec. 2 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*Christopher Oley*, Newcastle-upon-Tyne, insurance broker, Dec. 2 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac.—*C. Selater*, Exeter, nurseryman, Nov. 19 at 1, District Court of Bankruptcy, Exeter, and ac.; Dec. 4 at 1, div.—*Thomas Powell*, Aston, near Birmingham, miller, Nov. 19 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—*W. S. Dorsett*, West Bromwich, Staffordshire, iron dealer, Nov. 19 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.—*T. S. Dickinson* and *R. C. Dickinson*, Gresham-st., London, and Leeds, Yorkshire, warehousemen, Dec. 1 at half-past 11, Court of Bankruptcy, London, div.—*Jas. Murray*, Gresham-street, London, woollen warehouseman, Nov. 28 at 12, Court of Bankruptcy, London, div.—*John Chisholm* and *Wm. Chisholm*, Dorking, Surrey, and Ludgate-hill, London, wholesale perfumers, Nov. 28 at 1, Court of Bankruptcy, London, div.—*G. Whitehead*, Fleet-street, London, printer, and Boyle-street, Burlington-gardens, Middlesex, scrivener, Nov. 28 at 12, Court of Bankruptcy, London, div.—*William Bagnall*, Burslem, Staffordshire, grocer, Nov. 24 at half-past 10, District Court of Bankruptcy, Birmingham, and ac.; Nov. 29 at half-past 10, div.—*Thos. G. Tidey*, Rugby, Warwickshire, bookseller, Dec. 2 at half-past 11, District Court of Bankruptcy, Birmingham, div.—*John Watson* and *Robert Y. Watson*, Sunderland, Durham, ship builders, Dec. 2 at

half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, first and fin. div.—*Samuel Joule and John Joule*, Macclesfield, and Rainow, Cheshire, ribbon manufacturers, Dec. 1 at 12, District Court of Bankruptcy, Manchester, div. joint est., and fin. div. sep. est. of *S. Joule*.—*Hodgson Lewis and James Hervey*, Halifax, Yorkshire, spirit merchants, Dec. 5 at 11, District Court of Bankruptcy, Leeds, div.—*W. Russell*, Liverpool, merchant, Nov. 20 at 11, District Court of Bankruptcy, Liverpool, aud. ac.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Schofield, Aldermanbury, London, warehouseman, Dec. 1 at 2, Court of Bankruptcy, London.—*Wm. Bridges* the younger, Whittlesea, Cambridgeshire, farmer, Nov. 29 at half-past 1, Court of Bankruptcy, London.—*Wm. Robinson*, Trinity-square, Tower-hill, London, corn factor, Nov. 29 at 1, Court of Bankruptcy, London.—*Christopher Oley*, Newcastle-upon-Tyne, ship and insurance broker, Dec. 2 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Thos. Hurst*, Warrington, Lancashire, printer, Dec. 2 at 12, District Court of Bankruptcy, Manchester.—*John Heywood and Jas. Heywood*, Liverpool, provision merchants, Dec. 1 at 11, District Court of Bankruptcy, Liverpool.—*J. Watson*, Skipton, Yorkshire, linendraper, Dec. 4 at 11, District Court of Bankruptcy, Leeds.—*Joseph Coslett and Thos. Lloyd Pemberton*, Sedgley, Staffordshire, cement merchants, Nov. 29 at half-past 10, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Samuel Dixon, Leeds, Yorkshire, draper.—*William Henry Ayles*, Rickmansworth, Hertfordshire, builder.—*William Atley*, Hanwell, Middlesex, market gardener.—*J. Fred. Freake*, Hampstead-st., Fitzroy-square, Middlesex, licensed victualler.—*James Ballingall*, Edward-st., Portman-square, Middlesex, pianoforte maker.—*Sampson Clay Beattall and Wm. Maither*, High-st., Kensington, Middlesex, linendrapers.—*Charles Hargreaves*, Liverpool, tailor.—*Thomas Seymour Dickinson and Robert Cooper Dickinson*, Gresham-street, London, and Leeds, Yorkshire, warehousemen.—*Wm. Hodgson*, Lancaster, watchmaker.—*Adolphus Krauss*, Manchester, sharebroker.—*Robert Thorpe*, Stafford, last manufacturer.—*Henry Wm. Derry*, Wolverhampton, Staffordshire, builder.—*John Dickinson*, Walsall, Staffordshire, merchant.

FIAT ANNULLED.

Wm. Buddle, Irongate Wharf, Paddington, Middlesex, timber merchant.

PETITION ANNULLED.

Richard Edwards, Sudbury, Suffolk, linendraper.

PARTNERSHIPS DISSOLVED.

Wm. Walter, sen., and *Wm. Walter*, jun., Kingston-upon-Thames, Surrey, attorneys-at-law and solicitors.—*Geo. Grazebrook and Clement Ingleby Wragge*, Stourbridge, Worcestershire, attorneys-at-law and solicitors.—*Charles Stuart Voules and Charles John Last*, New Windsor, Berkshire, attorneys, solicitors, and conveyancers.

SCOTCH SEQUESTRATIONS.

Francis McCallum, sen., and *Francis McCallum*, jun., Gardenstown and Banff, fish curers.—*James Chalmers*, deceased, Dundee, spirit merchant.—*Peter Thoms*, Dundee, merchant.—*Alex. McArthur*, Oban, hotel keeper.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Chedham, Wellesbourne Mountford, Warwickshire, wheelwright, Nov. 20 at 10, County Court of Warwickshire, at Stratford-on-Avon.—*Joseph Wharton*, Allonby, Bromfield, Cumberland, farmer, Nov. 22 at 10, County Court of Cumberland, at Wigton.—*Thos. Goldsmith*, Woodbridge, Suffolk, grocer, Nov. 15 at 10, County Court of Suffolk, at Woodbridge.—*Alfred Smith*, Woodbridge, Suffolk, baker, Nov. 15 at 10, County Court of Suffolk, at Woodbridge.—*W. Scotchmer*, Framlingham, Suffolk, shoemaker, Nov. 14 at 10, County Court of Suffolk, at Framlingham.—*Albert Tillott*, Stowmarket, Suffolk, tailor, Nov. 21 at 10, County Court of Suffolk, at Stowmarket.—*William Hen. Collett*, Halesworth,

Suffolk, grocer, Nov. 13 at 12, County Court of Suffolk, at Halesworth.—*Emma Spencer*, widow, Fornham St. Genevieve, Suffolk, dairy woman, Nov. 17 at 10, County Court of Suffolk, at Bury St. Edmund's.—*George Kirrage*, Bury St. Edmund's, Suffolk, bricklayer, Nov. 17 at 10, County Court of Suffolk, at Bury St. Edmund's.—*Joseph Bancutt*, Northampton, gardener, Nov. 19 at half-past 10, County Court of Northamptonshire, at Northampton.—*Henry Ratcliffe*, Newport, Essex, plumber, Nov. 24 at 11, County Court of Essex, at Saffron Walden.—*Wm. Sivier*, Portsmouth, Southampton, tailor, Nov. 27 at 11, County Court of Hampshire, at Portsmouth.—*George Adams*, Leamington-priors, Warwickshire, shoemaker, Nov. 24 at 2, County Court of Warwickshire, at Warwick.—*James Chadwick*, Warwick, hat maker, Nov. 24 at 2, County Court of Warwickshire, at Warwick.—*George Checketts*, Snitterfield, Warwickshire, farrier, Nov. 20 at 10, County Court of Warwickshire, at Stratford-on-Avon.—*Abraham Abrahams*, Abersychan, Treveithin, Monmouthshire, keeper of a beer-house, Nov. 28 at 10, County Court of Monmouthshire, at Pontypool.—*C. J. Henner*, Shrewsbury, Shropshire, shoemaker, Nov. 25 at 10, County Court of Shropshire, at Shrewsbury.—*James Johnson*, St. Alkmund, Derbyshire, baker, Nov. 22 at 11, County Court of Derbyshire, at Derby.—*George Harper*, Lilbourn, near Rugby, Northamptonshire, grazier, Nov. 28 at 10, County Court of Warwickshire, at Rugby.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 21 at 11, before the CHIEF COMMISSIONER.

James Mann, Lower-marsh, Lambeth, Surrey, school-master.—*Catherine Wilton*, widow, Cannon-st.-road, St. George's-in-the-East, Middlesex, following no business.—*W. Huddart*, Francis-terrace, Barking-road, Essex, clerk to the Eastern Counties Railway Company.—*Wm. Baldwin*, Abourterrace, Commercial-road East, Middlesex, out of business.—*Saxe Bannister*, Melbourne-cottage, Townsend-road, Saint John's-wood, Middlesex.

Nov. 21 at 10, before Mr. Commissioner LAW.

Richard Edwin Boyd, Herbert-street, New North-road, Hoxton, Middlesex, accountant.—*John Robins* the younger, Tuilerie-st., Hackney-rd., Middlesex, patent leather manufacturer.—*Thomas Bates*, Union-street, Cleveland-street, Mile-end-road, Middlesex, yeast maker.—*Henry Fisher Bird*, Trafalgar-place, Shackelwell-lane, West Hackney, Middlesex, teacher of music.—*Abraham Horne*, Great Hermitage-street, St. George's-in-the-East, Middlesex, merchant.—*William Dick*, Princes-street, Fitzroy-square, Middlesex, out of business.

Nov. 22 at 11, before Mr. Commissioner PHILLIPS.

William Green, Oxford-market, Marylebone, Middlesex, cheesemonger.—*Thos. Rust*, Ann's-row, South-street, East-street, Walworth, Surrey, oil and colour man.—*John Smith*, Park-place, Knightsbridge, Middlesex, barman.—*Isaac Smith*, Hornsey-rise, Hornsey-road, Middlesex, builder's clerk.—*Horatio William Costerton*, Cannon-street, London, medical student.

Nov. 24 at 10, before Mr. Commissioner LAW.

James Lindfield the younger, Tiverton-street, Newington-causeway, Surrey, general-shop keeper.—*William Taylor*, Upper Whitecross-st., St. Luke's, Middlesex, cheesemonger.—*John Paulet Miller*, Walton-on-Thames, Surrey, lieutenant in the Royal Navy on half-pay.—*Charles Cownden* the elder, Fore-street, Lambeth, Surrey, boat builder.—*Charles James*, Queen's-terrace, Queen's-road, St. John's-wood, Marylebone, Middlesex, grocer.—*George Vincent*, Wandsworth, Surrey, cooper.

Nov. 24 at 11, before Mr. Commissioner PHILLIPS.

Robert William Reeves the elder, Lewisham-road, Greenwich, Kent, shoemaker.—*James Pool*, Church-row, Old St. Pancras-road, Middlesex, general-shop keeper.—*John Hill Sams*, Hoddesdon, Hertfordshire, brewer.—*Joseph Winfield*, Riley-street, Russell-street, Bermondsey, Surrey, leather dresser.—*Frederick Lett*, New-street, Park-street, Kenning-

ton-cross, Surrey, lighterman.—*Samuel Shiner*, Bothnal-green-road, Middlesex, hat manufacturer.—*Edward Toomer Broomfield*, Stevenson's-terrace, Caledonian-road, Islington, Middlesex, dairyman.—*John Dodgson*, Sidney-cottage, Blackheath-hill, Blackheath, Kent, out of employ.—*Walter Pitcher*, Grafton-terrace, Kentish-town, Middlesex, egg merchant.—*Solomon Levi Jacobs*, Polygon, Clarendon-square, Somers-town, Middlesex, dealer in railway shares.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 21 at 10, before Mr. Commissioner LAW.

William Henry Headland, Earl-street, Blackfriars, London, commission agent.

Nov. 22 at 11, before Mr. Commissioner PHILLIPS.

James Rhodes, Horselydown-lane, Southwark, Surrey, shipbroker.—*Chas. Brace*, Castle-mill, near Dorking, Surrey, out of business.

Nov. 24 at 10, before Mr. Commissioner LAW.

Samuel William Worress, Hortlam-place, King's-road, Chelsea, Middlesex, engineer.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Nov. 21 at 11.

George Humphreys the younger, Liverpool, licensed victualler.—*Thomas Baxter*, Manchester, out of business.—*Robert Kellett*, Bolton-le-Moors, clogger.—*William Lay*, Salford, Navy pensioner.—*James Taylor*, Manchester, out of business.—*Charles Walker Daniels*, Hulme, Manchester, retail dealer in ale.—*Thomas Moss*, Manchester, bootmaker.—*Henry Mercer Suddlow*, Liverpool, out of business.—*James Glover*, Liverpool, out of business.—*James Atison*, Liverpool, shopman to a provision dealer.—*John Taylor*, Hulme, Manchester, stonemason.—*John Swindells*, Manchester, out of business.—*Joseph Robinson Proctor*, Manchester, out of business.—*Joseph Wilson*, Manchester, watchmaker.—*John Barlow*, Barton-moss, Barton-upon-Irwell, near Manchester, out of business.

At the County Court of Derbyshire, at DERBY, Nov. 22 at 11.

John Wheatcroft, Matlock, surveyor.

At the County Court of Warwickshire, at WARWICK, Nov. 24 at 10.

James Fennell, Studley, groom.

At the County Court of Cumberland, at CARLISLE, Nov. 25 at 9.

Horatio Huntley Hoskins, Manchester, attorney-at-law.

At the County Court of Gloucestershire, at BRISTOL, Nov. 26 at 11.

Stephen Clements, Bristol, out of business.

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| | |
|----------------------------------------------------|--------------|
| That the Income of the Company for the year ending | |
| June 30, 1851, was | £140,338 1 0 |
| The Premium on Policies issued in the year | 5,399 13 9 |
| The Claims on decease of Lives assured | 83,691 1 9 |
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| The Total Assets of the Company | 704,010 14 0 |

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The Jurist

No. 775—VOL. XV. NOVEMBER 15, 1851.

PRICE 1s.

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LONDON, NOVEMBER 15, 1851.

On the occasion of a very recent trial, (*Porter v. Voss*, in the Exchequer), one of the first under the new Evidence Act, Mr. Baron Martin is reported to have spoken to the following effect:—"That which had occurred in this trial was what he very much feared would often arise—the plaintiff and the defendant differed distinctly in their views, not only of the conditions of the agreement, but also as to what had passed upon payment of the account being demanded. Each party had given his own version of the terms of the agreement, and its operation. Those versions were inconsistent the one with the other. With reference to the evidence of plaintiffs and defendants, it was the opinion of one of the most eminent members of the Bench, that the evidence of such persons ought to be regarded by juries somewhat in the same light as though it were that of a man who, having been implicated in the commission of a crime, eventually turned round and became what was called 'Queen's evidence,' as against his former companions and associates; and, therefore, that juries ought not to place implicit reliance on the evidence of such parties, unless their statement were confirmed and fully corroborated by other witnesses. In all criminal trials the evidence of an accomplice was looked upon with an eye of suspicion until it was confirmed by other witnesses, or by the peculiar circumstances of the particular case. So, in the case where a plaintiff or defendant gave his evidence, the eminent judge to whom he had referred was of opinion that those parties ought to be confirmed by other persons. Not that either plaintiff or defendant would intentionally say that which was not the fact, but because, having arrived at a certain view of the transaction, their minds, even though that view were

erroneous, had become impressed with its truth; therefore it was that a confirmation by other witnesses became necessary."

With great deference, we cannot but think that this is a most harsh view of the veracity of plaintiffs and defendants, and that there is no analogy whatever between the position of "Queen's evidence," and of the parties to an action giving evidence for themselves. A man who becomes Queen's evidence is confessedly a man who has associated himself with others in the commission of some crime, and who volunteers to betray his associates in order to procure his own escape. Such a man, therefore, steps into the witness-box with a double taint upon him—the taint of his crime, and the taint of his treachery; and it may well be recommended to a jury not to take his evidence except with suspicion. Moreover, he is giving evidence against persons who are not allowed to contradict him, so that he is comparatively safe from detection if he chooses to say that which is not true. But, in the case of the parties to an action, they must be taken to be (in the absence of anything to shew the contrary) men of average honesty and honour, and there is not on them, *prima facie*, any taint. Why, then, should their evidence be likened to that of criminals? It is true they have an interest. But that is not the question; the question is, whether their characters are to be taken to be such as to make them loose as to speaking the truth for the sake of their interest; whether, in fact, it is to be assumed that each party will swear falsely for the sake of winning his cause. That the plaintiff and defendant should, in the case before Mr. Baron Martin, have given different versions of the contract between them, and that in numerous cases plaintiffs and defendants should contradict each other as to facts, is not in the least more extraordinary; on the contrary, the thing is

so, for people never would come into the relative position of plaintiffs and defendants if they did not differ about something; and this difference is, of course, as often likely to be one of fact as of law. But in this they do not, as witnesses, differ from other witnesses, between whom there is continually conflict as to matters of fact.

When plaintiffs and defendants do directly contradict each other, of course a jury will either disregard altogether the evidence of both, or credit the one whose testimony is either corroborated by other testimony, or on the face of it most apparently true; and the jury will do so, not because they are parties, but because their evidence is, in fact, inconsistent. But if juries are told to suspect, as a matter of course, the veracity of a plaintiff or a defendant, without any ground for doing so, except that he is a party, they will, we conceive, be told, not only to defeat the very intention of the Legislature, but to do in the jury-box what men do not, in their transactions with the world, as men of business. We do not, as a matter of course, disbelieve every statement made to us in business by men, because such statement is to their advantage; we measure our belief by our knowledge of their characters, or by the greater or less probability of the truth of the statements made; and so, we apprehend, ought juries to deal with the evidence of plaintiffs and defendants. At any rate, if they do not—if their evidence is never to be relied on unless confirmed by other persons, the Legislature might as well never have passed the Evidence Act, the very end and aim of which is to enable a jury to elicit the truth by examining the parties, in cases where they are either the only parties who know anything about the facts in dispute, or at least those who know most about them.

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London Gazettes.

TUESDAY, NOVEMBER 11.

BANKRUPTS.

GEORGE CHEETHAM and **GEORGE WILLIAM GILL**, Strood and Finsbury, Kent, shipwrights, barge, ship, and boat builders, dealers and chapmen, (trading under the firm of Cheetham, Gill, & Co.), Nov. 18 and Dec. 22 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Hoyle, Newcastle-upon-Tyne; Crosby & Compton, 3, Church-court, Old Jewry, London.—Petition filed Nov. 5.
FRANCIS SELFE, Sheerness, Isle of Sheppy, Kent, watchmaker, and dealer in watches and jewellery, Nov. 15 at 1, and Dec. 20 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Ward, Sheerness; Beckett, 3, South-square, Gray's-inn.—Petition dated Nov. 6.
WILLIAM TURNER, Gravesend, Kent, butcher, Nov. 21 at 1, and Dec. 16 at 11, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Fearon & Clabon, 21, Great George-street, Westminster.—Petition filed Nov. 6.
JOHN KNIGHT the elder and **JOHN KNIGHT** the younger, Waltham-green, Middlesex, butchers, dealers and chapmen, Nov. 25 at 11, and Dec. 18 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Jenkinson & Co., 29, Lombard-street, City.—Petition filed Nov. 4.
WILLIAM HOLMES, Crober's-cottages, Bedford-street, All Saints', Poplar, Middlesex, builder, Nov. 25 at 11, and Dec. 18 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. G. & E. Hilleary, 63, Fenchurch-street.—Petition filed Nov. 8.
CHARLES WHEELER, St. Martin's-lane, Middlesex, woollendrapers, dealer and chapman, Nov. 25 at 2, and Jan. 1 at 12, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. J. & J. H. Linklater, 17, Sisc-lane, Bucklersbury.—Petition dated Nov. 4.

DONALD M'LEOD, late of Tirhoot, Bengal, East Indies, and afterwards and now of Ealing, Middlesex, being at present detained in custody for debt in the Queen's Prison, Surrey, dealer and chapman, Nov. 18 at half-past 11, and Jan. 1 at 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sol. Danglerfield, 26, Craven-street, Charing-cross.—Petition dated Nov. 4.

JOSEPH LICHFIELD the younger, Birmingham, pork butcher, dealer and chapman, Nov. 20 and Dec. 17 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sol. Harrison, Birmingham.—Petition dated Nov. 5.

DANIEL HEMUS WALDRON, Birmingham, grocer, dealer and chapman, Nov. 22 and Dec. 13 at 1, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sol. Cheshire, jun., Birmingham.—Petition dated Nov. 6.

JOHN WILLMORE, Leicester, woollendrapers, dealer and chapman, Nov. 21 at 10, and Dec. 19 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sols. Barr & Nelson, Leeds; Suckling, Birmingham.—Petition dated Oct. 24.

HENRY THOMPSON, Belper, Derbyshire, draper, Nov. 21 at 10, and Dec. 19 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Ingle, Belper.—Petition dated Nov. 5.

JACOB JENKINS NICHOLAS, Newport, Monmouthshire, timber merchant, Nov. 25 and Dec. 23 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Abbot & Lucas, Bristol; Tilson & Co., Coleman-street, London.—Petition filed Nov. 6.

EDWIN ANDREWS, Iwerne Courtney, otherwise Shroton, Dorsetshire, farmer, brewer, dealer and chapman, Nov. 25 at 1, and Dec. 17 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Chitty, or Swyer, Shaftesbury; Stogdon, Exeter.—Petition filed Nov. 1.

MARY RUSHWORTH, Huddersfield, Yorkshire, milliner and dressmaker, dealer and chapwoman, Nov. 25 and Dec. 16 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sol. Nixon, Leeds.—Petition dated Nov. 7.

GEORGE BREAR, Wakefield, Yorkshire, innkeeper, Nov. 25 and Dec. 16 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Barr & Nelson, Leeds; West, 16, Gresham-street, London.—Petition dated Nov. 4.

JOHN JOHNSON, Liverpool, Lancashire, and Seacombe, Cheshire, grocer, Nov. 24 and Dec. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Evans & Son, Liverpool.—Petition filed Nov. 5.

EDWARD THOMAS LEEING, Manchester, hosier, dealer and chapman, Nov. 24 and Dec. 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester; Reed & Co., 59, Friday-street, Cheapside, London.—Petition filed Nov. 6.

JOHN ROBERTS, Rhyl, Flintshire, innkeeper, Nov. 21 and Dec. 18 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool.—Petition filed Nov. 10.

MEETINGS.

John Luscombe, Higher Salter Mill, Llandulph, Cornwall, miller, Nov. 20 at 11, District Court of Bankruptcy, Plymouth, last ex.—*John Whitworth*, Leeds, Yorkshire, millwright, Dec. 5 at 11, District Court of Bankruptcy, Leeds, last ex.—*Richard Maltby*, Paul's-wharf, Upper Thames-st., London, enamelled paper manufacturer, Dec. 3 at 1, Court of Bankruptcy, London, aud. ac.—*William Woods*, Gresham Rooms, Basinghall-st., London, warehouseman, Dec. 3 at 12, Court of Bankruptcy, London, aud. ac.—*Robert Summers*, Bath-street, City-road, Middlesex, pawnbroker, Dec. 3 at 12, Court of Bankruptcy, London, aud. ac.—*Jonas Walpole*, Northwold, Norfolk, money scrivener, Nov. 26 at 1, Court of Bankruptcy, London, aud. ac.—*Edwin Gates*, Aylesford, Kent, grocer, Nov. 26 at 12, Court of Bankruptcy, London, aud. ac.—*James Murray*, Gresham-street, London, woollen warehouseman, Nov. 26 at half-past 12, Court of Bankruptcy, London, aud. ac.—*George Kempson*, Clifton, Bedfordshire, pork butcher, Dec. 3 at 1, Court of Bankruptcy, London, aud. ac.—*Saml. M'Knight* the younger, Liverpool, merchant, Nov. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.; Dec. 4 at 11, div.—*Adolphus Krauss*, Manchester, sharebroker, Nov. 24 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Edward G. Cuff*, Leicester, hotel keeper,

Nov. 21 at 12, District Court of Bankruptcy, Nottingham, and. ac.; Dec. 5 at 12, div.—*James Clarke*, Old Broad-st., London, coal merchant, Dec. 2 at 1, Court of Bankruptcy, London, div.—*James Ellis*, Cremorne House, Chelsea, Middlesex, licensed victualler, Dec. 2 at 12, Court of Bankruptcy, London, div.—*Nathaniel Wegg*, East-street, East Greenwich, Kent, victualler, Nov. 29 at 11, Court of Bankruptcy, London, div.—*Wm. Pownall*, Macclesfield, Cheshire, silk manufacturer, Dec. 5 at 11, Court of Bankruptcy, London, div.—*Joseph Bereford*, Birkenhead, Cheshire, flour dealer, Dec. 2 at 11, District Court of Bankruptcy, Liverpool, div.—*John Wood* and *Henry Wood*, Dearnley Mill, Huddersfield, Rochdale, Lancashire, woollen manufacturers, Dec. 2 at 12, District Court of Bankruptcy, Manchester, div.—*James Johnson*, Salford, Lancashire, merchant, Dec. 2 at 12, District Court of Bankruptcy, Manchester, fin. div.—*Robt. Derham*, Leeds, Yorkshire, and *Walter A. Hinde* and *James Derham*, Dolphinholme, Lancashire, worsted spinners, Dec. 2 (and not Nov. 29, as before advertised) at 11, District Court of Bankruptcy, Leeds, fin. div. sep. est. of *Robert Derham*; and first and fin. div. sep. est. of *Walter A. Hinde* and *James Derham*.—*Samuel Eastwood*, Huddersfield, Yorkshire, woolstapler, Dec. 5 at 11, District Court of Bankruptcy, Leeds, div.—*Robert Bew*, Selby, Yorkshire, grocer, Dec. 5 at 11, District Court of Bankruptcy, Leeds, div.—*Joseph Royce*, Nottingham, currier, Dec. 5 at 12, District Court of Bankruptcy, Nottingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James B. Nunn, Colchester, Essex, and Ipswich, Suffolk, tailor, Dec. 3 at 12, Court of Bankruptcy, London.—*Stephen Hey* and *John Hey*, Colne, Lancashire, manufacturers, Dec. 4 at 12, District Court of Bankruptcy, Manchester.—*James Wilde*, Salford, Lancashire, builder, Dec. 3 at 12, District Court of Bankruptcy, Manchester.—*George N. Manzavino*, Manchester, merchant, Dec. 3 at 12, District Court of Bankruptcy, Manchester.—*Robert Bew*, Selby, Yorkshire, grocer, Dec. 5 at 11, District Court of Bankruptcy, Leeds.—*Hodgson Lewis* and *James Hervey*, Halifax, Yorkshire, spirit merchant, Dec. 5 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John Franckeiss, Portsea and Landport, Southampton, woollendraper.—*Mannus Feeny* and *John Gard*, St. Martin's-lane, Middlesex, woollendrapers.—*John Limbird*, Strand, Middlesex, stationer.—*George King Matthews*, Paternoster-row, London, bookbinder.—*Richard Mott*, Gracechurch-st., London, tailor.—*George Edwin Deeley*, Brunswick-terrace, Trinity-st., Dover-road, Newington, Surrey, ironfounder.—*Richard Brown*, Old Broad-street, London, auctioneer.—*George Hornsby* and *Robert Porter Mould*, Newcastle-upon-Tyne, builders.—*James Smith*, Lincoln, joiner.

SCOTCH SEQUESTRATIONS.

Rae, Williams, & Co., Glasgow, commission agents.—*John Johnston*, Parkhead, Lanarkshire, baker.—*Donald M' Lennan*, Inverness, draper.—*James Atkinson*, Glasgow and Manchester, merchant.

INSOLVENT DEBTORS

Who have fled their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Lucas, Coventry, Warwickshire, baker, Nov. 26 at 2, County Court of Warwickshire, at Coventry.—*Chas. Marlow*, Coventry, Warwickshire, out of business, Nov. 26 at 2, County Court of Warwickshire, at Coventry.—*Wm. Wray*, Strood, Rochester, Kent, ginger-beer merchant, Dec. 4 at 10, County Court of Kent, at Rochester.—*John Peter Calthorpe*, Norwich, cooper, Dec. 1 at 10, County Court of Norfolk, at Norwich.—*Robert Kerr* the younger, Norwich, architect, Dec. 1 at 10, County Court of Norfolk, at Norwich.—*Wm. Strong*, Elswick, Northumberland, joiner, Nov. 27 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*John Cowan*, Newcastle-upon-Tyne, shoemaker, Nov. 27 at 10, County Court of Northumberland, at Newcastle-upon-Tyne.—*Abraham Abrahams*, Abersychan, Trevechin, Monmouthshire, keeper of a beer-house, Nov. 25 at 10, County Court of Monmouthshire, at Pontypool.—*John Dowell*, Bram-colt, Warwickshire, farmer, Nov. 27 at 11, County Court of Warwickshire, at Nuneaton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 26 at 11, before the CHIEF COMMISSIONER.

Arthur Tooth, Lisle-st., Leicester-square, Middlesex, picture dealer.—*Godfrey Pothergill*, Northampton-place, Old Kent-road, Surrey, clerk to a corn chandler.—*John Edmund Kiddle*, Upper Seymour-street, Somers-town, Middlesex, cab driver.—*Stephen Crouch* the younger, Charles-st., Curtain-road, Shoreditch, Middlesex, pocket-book maker.—*Richard Kay*, Ebury-st., Pimlico, Middlesex, dress maker.—*Thomas Raven*, Dalston, Middlesex, in no business.—*George James Underwood*, Chapel-st., Somers-town, Middlesex, boot manufacturer.

Nov. 26 at 10, before Mr. Commissioner LAW.

Samuel Corkett, Nag's Head-court, Clement's-lane, Lombard-st., porter.—*Thomas Lax Wardell*, Three Colt-street, Limehouse, Middlesex, grocer.—*David Jackson*, Skinner-st., Bishopsgate-street, London, shoemaker.—*Richard Turner*, Stingo-lane, New-road, Marylebone, Middlesex, cheesemonger.

Saturday, Nov. 8.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's Inn-fields, on giving the Number of the Case.

Charles Joseph Welbeck, Cavendish-square, Middlesex, artist, No. 62,531 T.; *Charles Hall*, assignee.—*Thos. Jones*, Oldbury, near Dudley, Worcestershire, blacksmith, No. 73,900 C.; *Thomas Lancaster*, assignee.

Saturday, Nov. 8.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Benj. Wallington, Skinner-st., London, attorney-at-law: in the Debtors Prison for London and Middlesex.—*John Bernard Burke*, Alfred-place West, Thurlow-square, Brompton, Middlesex, barrister-at-law: in the Queen's Prison.—*James Whitehorn*, Nine-elms, Battersea, Surrey, lime merchant: in the Queen's Prison.—*John Garrett*, Chencia-place, Old St. Pancras-road, Middlesex, mill sawyer: in the Debtors Prison for London and Middlesex.—*John Charles Todd*, Hanway-street, Oxford-street, Middlesex, stay maker: in the Debtors Prison for London and Middlesex.—*Michael Horner*, Magdalen-circus, Bermondsey, Surrey, leather dresser: in the Queen's Prison.—*Henry Pellatt*, Roupell-st., Cornwall-road, Lambeth, Surrey, attorney-at-law: in the Debtors Prison for London and Middlesex.—*John Wheeler*, Hereford-road, Bayswater, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Frederick Villeret*, Great College-st., Camden-town, Middlesex, and Monument-yard, London, general commission agent: in the Debtors Prison for London and Middlesex.—*J. Barlow*, Barton Moss, Barton-upon-Irwell, near Manchester, packing-case maker: in the Gaol of Lancaster.—*Jos. B. Emery*, Peterborough, Northamptonshire, licensed victualler: in the Gaol of Cambridge.—*James Glover*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*John Taylor*, Hulme, Manchester, stonemason: in the Gaol of Lancaster.—*Joseph Wilson*, Manchester, clock manufacturer: in the Gaol of Lancaster.—*Horatio Huntley Hoskins*, Manchester, attorney-at-law: in the Gaol of Carlisle.—*James Alison*, Liverpool, shopman to a provision dealer: in the Gaol of Lancaster.—*John Swindells*, Manchester, grocer: in the Gaol of Lancaster.—*Wm. White*, Birmingham, shoemaker: in the Gaol of Coventry.—*Thomas Smith*, Lofthouse, near Leeds, Yorkshire, twine spinner: in the Gaol of York.—*Wm. Chegwyn*, Launceston, Cornwall, dealer in pigs: in the Gaol of Bodmin.—*T. Edwards*, Watchett, Somersetshire, manager of an ironfoundry: in the Gaol of Wilton.—*Thos. Morrin*, East Dereham, Norfolk, woollendraper: in the Gaol of Norwich.—*Jos. Pledger*, Cambridge, brewer: in the Gaol of Cambridge.—*J. Threlfall*, Little Singleton, near Poulton-le-Fylde, Lancashire, farmer: in the Gaol of Lancaster.—*George Andrews*, Portsea, Hampshire, superannuated sailmaker: in the Gaol of Winchester.—*Thomas Jelly*, Southsea, near Portsmouth, Hampshire, superannuated shipwright: in the Gaol of Winchester.—*W. A. S.*

Tammadge, Portsea, Hampshire, shipwright in Portsmouth Dockyard: in the Gaol of Winchester.—*John Andrews*, Lexden, Colchester, Essex, grocer's assistant: in the Gaol of Colchester.—*Samuel Clarke*, Manchester, grocer: in the Gaol of Lancaster.—*Richard Gibbs*, South Littleton, Worcestershire, farmer: in the Gaol of Worcester.—*J. Heaton*, Golcar, near Huddersfield, Yorkshire, cloth manufacturer: in the Gaol of York.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 25 at 11, before the CHIEF COMMISSIONER.

Abraham Kell, Claygate, Thames Ditton, Surrey, labourer.—*William Childs*, Crown-place, Aldgate, London, beadle.—*Thomas Kilsby*, Kingston-upon-Thames, Surrey, hat manufacturer.

Nov. 26 at 10, before Mr. Commissioner LAW.

Wm. A. Smith, Denbigh-street, Belgrave-road, Pimlico, Middlesex, attorney.

Nov. 26 at 11, before the CHIEF COMMISSIONER.

Adjourned Case.

Robert Nicholson, Aspen-villa, Ladbroke-road, Bayswater, Middlesex, Post-office agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Nov. 26 at 12.

Henry Knight, Birmingham, traveller in the wine and spirit trades.—*Wm. Baker*, Henley Mills, Foleshill, near Coventry, miller.—*Wm. Jayes*, Ullesthorpe, Claybrook, Leicestershire, miller.—*Wm. White*, Birmingham, shoemaker.

At the County Court of Staffordshire, at STAFFORD, Nov. 26 at 10.

Samuel Colclough, Croxton, near Cheadle, in no business.

At the County Court of Hampshire, at WINCHESTER, Nov. 26.

George Andrews, Portsea, superannuated sailmaker.—*Thos. Jelley*, Southsea, near Portsmouth, superannuated shipwright.—*Wm. A. S. Tammadge*, Portsea, shipwright.

At the County Court of Gloucestershire, at GLOUCESTER, Nov. 27 at 10.

Edmund Bradley, Cinderford, East Dean, out of business.

At the County Court of Norfolk, at NORWICH, Dec. 1 at 10.

Benjamin Daniels, Norwich, butcher.

INSOLVENT DEBTORS' DIVIDENDS.

Thomas Ingleton, Salisbury-square, Fleet-street, London, storekeeper in her Majesty's Ordnance: 4s. 0½d. in the pound.—*John Baron*, Watton, Hertfordshire, baker: 4s. 7d. in the pound.—*Thos. Hart*, deceased, West-square, Lambeth, Surrey, comptroller in her Majesty's Customs: 1s. 0½d. in the pound.—*Samuel Coulthard*, King-street, Portman-square, Middlesex, captain in the East India Company's Bengal Artillery, on half-pay: 7s. 5d. in the pound.—*Sophia Allerdice*, widow, Tottenham-court-road, Middlesex: 4s. 5d. in the pound.—*Thomas Hooper*, Stracey-street, Commercial-road East, Middlesex, clerk in her Majesty's Customs: 2s. 5½d. in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, NOVEMBER 14.

BANKRUPTS.

JAMES BATE, New Windsor, Berkshire, builder, dealer and chapman, Nov. 25 and Jan. 2 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Wilson, 10, Godliman-street, Doctors'-commons.—Petition dated Nov. 13.

WILLIAM LANCEFIELD, Camberwell, Surrey, butcher, dealer and chapman, Nov. 28 and Dec. 23 at 2, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Smith, 8, Barnard's-inn, Holborn.—Petition filed Nov. 13.

ROBERT BROWN, Gravel-lane, St. Saviour's, Southwark, Surrey, and St. Mary-at-Hill, London, basket maker, dealer and chapman, Nov. 20 at 11, and Dec. 22 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Holmer, 26, Bridge-street, Southwark.—Petition filed Nov. 12.

THOMAS BUCKLAND, Queenhithe, London, wine merchant, (trading under the firm of Hankins & Buckland), Nov. 24 at 1, and Dec. 22 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Wilde & Co., College-hill.—Petition filed Nov. 12.

GABRIEL COOK, Tottenham-court-road, Middlesex, furniture dealer and looking-glass manufacturer, Nov. 20 at 2, and Jan. 1 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Nind, 25, Clement's-lane, Lombard-street.—Petition filed Nov. 13.

HENRY SHUTTLEWORTH, Saffron Walden, Essex, iron-monger, dealer and chapman, Nov. 28 and Dec. 23 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. W. & N. D. Thurgood, Saffron Walden, Essex; Field & Co., 41, Bedford-row.—Petition filed Nov. 11.

MICHAEL THOMAS STACEY WELSH, Romford, Essex, linendraper and silk mercer, dealer and chapman, Nov. 25 at 3, and Dec. 23 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Ashurst & Son, 6, Old Jewry.—Petition filed Oct. 30.

HENRY HODGES, Addington-place, Camberwell, Surrey, coach builder, dealer and chapman, Nov. 25 and Dec. 23 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Wire & Child, Swithin's-lane, London.—Petition filed Nov. 11.

WILLIAM LASLETT, Houson, Ash next Sandwich, Kent, dealer in hay and corn, dealer and chapman, Nov. 22 at 2, and Jan. 10 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lee, Sandwich; Mourilyan, 2, Verulam-buildings, Gray's-inn.—Petition dated Nov. 11.

NICHOLAS D'ARCY, Pall-mall East, Middlesex, hotel keeper, dealer and chapman, Nov. 22 at 1, and Dec. 27 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. J. & C. Rogers, Manchester-buildings, Westminster.—Petition dated Nov. 5.

THOMAS BELLISSON BROWN, Handsworth, Staffordshire, blister manufacturer, dealer and chapman, Nov. 29 and Dec. 22 at 12, District Court of Bankruptcy, Birmingham: Off. Ass. Bittleston; Sols. Coldicott & Canning, Dudley; Hodgson, Birmingham.—Petition dated Nov. 10.

EDWARD ASHTON, Kingston-upon-Hull, woollendraper, Dec. 3 and 31 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Shackles & Son, Hull.—Petition dated Nov. 3.

PHILIP JONES, Llangattock, Monmouthshire, banker, one of the shareholders in the Monmouthshire and Glamorganshire Banking Company, dealer and chapman, Nov. 26 and Dec. 31 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Blount & Davis, Usk; Bevan, Bristol.—Petition filed Nov. 6.

JEREMIAH CAIRNS, Newport, Monmouthshire, banker, dealer and chapman, and one of the shareholders or partners of the Monmouthshire and Glamorganshire Banking Company, Dec. 1 at 12, and Dec. 29 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Bevan, Bristol.—Petition filed Nov. 6.

DANIEL EDGAR MONIES, Liverpool, broker, dealer and chapman, Dec. 4 and 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. J. & E. Whitley, Liverpool.—Petition filed Nov. 10.

MEETINGS.

James Fairman, Great St. Helen's, London, commission agent, Dec. 9 at half-past 12, Court of Bankruptcy, London, and. ac.—*John T. Cole*, Thorpe-le-Soken, Essex, auctioneer, Dec. 1 at 1, Court of Bankruptcy, London, and. ac.—*Arthur James*, Newcastle-upon-Tyne, oil merchant, Nov. 28 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—*Charles Bertram* and *Wm. Parkinson*, Newcastle-upon-Tyne, merchants, Nov. 25 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac. sep. est. of *Wm. Parkinson*; Dec. 9 at half-past 12, div.—*James Johnson*, Salford, Lancashire, timber merchant, Nov. 25 at 12, District Court of Bankruptcy, Manchester, and. ac.—*John Whitehead* and *Richard Collam*, Blackburn, Lancashire, machine makers, Nov. 28 at 11, District Court of Bankruptcy, Manchester,

and. ac.; Dec. 5 at 11, div.—*Wm. Henry Edwards*, Leeds, Yorkshire, hosier, Nov. 24 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*James Smith*, Lincoln, joiner, Nov. 26 at 12, District Court of Bankruptcy, Kingston-upon-Hull, and. ac.—*Wm. H. Richardson*, Darlaston, Staffordshire, tube manufacturer, Dec. 11 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. and div.—*John Phillips*, Longton, Staffordshire, grocer, Dec. 2 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Joseph Royce*, Nottingham, carrier, Dec. 5 at 12, District Court of Bankruptcy, Nottingham, aud. ac.—*Cornelius Stovin Smith*, Louth, Lincolnshire, draper, Dec. 5 at half-past 1, Court of Bankruptcy, London, fn. div.—*James Racine* and *John Jaques*, Hare-st., Bethnal-green, Middlesex, dyers, Dec. 5 at 12, Court of Bankruptcy, London, div. sep. est. of *J. Jaques* and *J. Racine*.—*John Dailey* and *Alfred Inskip*, Long-lane, Bermondsey, Surrey, leather manufacturers, Dec. 5 at 1, Court of Bankruptcy, London, div. sep. est. of *A. Inskip*.—*Edward Brewster* and *Edward West*, Hand-court, Dowgate, London, printers, Dec. 16 at 11, Court of Bankruptcy, London, div.—*Nathaniel J. Hone*, Reading, Berkshire, common brewer, Dec. 9 at half-past 11, Court of Bankruptcy, London, div.—*Wm. Green* the younger, Higher Transmere, Cheshire, brewer, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, div.—*Jonathan Higginson* and *Richard Deane*, Liverpool, merchants, Dec. 5 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *Richard Deane*.—*Wm. Thornley*, Ripley, Derbyshire, grocer, Dec. 19 at 12, District Court of Bankruptcy, Nottingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Fairman, Great St. Helen's, London, commission agent, Dec. 9 at half-past 12, Court of Bankruptcy, London.—*Richard Iemonger* and *Peirce Iemonger*, Littlehampton, Sussex, merchants, Dec. 6 at 11, Court of Bankruptcy, London.—*Joseph Hall*, Brighton, Sussex, hotel keeper, Dec. 6 at 1, Court of Bankruptcy, London.—*Wm. Bedford*, Fen Drayton, Cambridgeshire, publican, Dec. 6 at half-past 12, Court of Bankruptcy, London.—*Matthew Lister*, Slad-mill, Painswick, Gloucestershire, clothier, Dec. 9 at 11, District Court of Bankruptcy, Bristol.—*John Williams*, Onllwyn Iron-works, Cadenton juxta Neath, Glamorganshire, iron master, Dec. 16 at 11, District Court of Bankruptcy, Bristol.—*John Whitehead*, Blackburn, Lancashire, machine maker, Dec. 5 at 12, District Court of Bankruptcy, Manchester.

To be granted, unless an Appeal be duly entered.

George Small, Folkestone, Kent, tailor.—*Raley Middlewood* and *Allen Foster*, Leeds, Yorkshire, linendrapers.—*Jonas Walpole*, Northwold, Norfolk, money scrivener.—*Chas. Frederick Thomas*, Bristol, shipbroker.—*William Brunshill*, Paternoster-row, London, and York-place, Battersea, Surrey, silk manufacturer.—*Joseph Emmett Norton*, Crescent, Asylum-road, Old Kent-road, Surrey, wine merchant.—*William Hero Luckins*, Kennington-row, Kennington, Surrey, coach-maker.—*Henry Adams Newman*, Jewry-st., Aldgate, London, and Church-st., Shoreditch, Middlesex, clothier.—*Geo. Shaw*, Wakefield, Yorkshire, grocer.—*Thomas John King*, Stourport, Worcestershire, innkeeper.—*James Teece* and *T. Peate*, Oswestry, Shropshire, drapers.

PETITION ANNULLLED.

Henry Lewin, Wellingborough, Northamptonshire, draper.

SCOTCH SEQUESTRATIONS.

David Wilson & Co., Glasgow, wholesale grocers.—*Richard Maxwell Wilkie*, Glasgow, jeweller.—*M^r Cracken & Chalmers*, Glasgow, manufacturers.—*Peter M^r Ewan*, Tillochcultry, near Alloa, clothier.—*Wm. Bell*, Edinburgh, miller.—*Antony M^r Clymont*, New Cumnock, writer.—*William Bissett & Co.*, Glasgow, merchants.—*Wm. Trotter Waddell*, Pollockshaws, Renfrewshire, grocer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Price, Birmingham, saddler, Dec. 6 at 10, County Court of Warwickshire, at Birmingham.—*Charles Frederick Atkins*, Birmingham, shoemaker, Dec. 6 at 10, County Court

of Warwickshire, at Birmingham.—*Septimus Highton*, Birmingham, out of business, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*John Birch*, Aston, near Birmingham, out of business, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*Wm. Devey*, Birmingham, brass tube drawer, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*Richard Hemming*, Birmingham, scale manufacturer, Nov. 22 at 10, County Court of Warwickshire, at Birmingham.—*Edward Wilson*, Birmingham, manufacturer of plated wares, Dec. 6 at 10, County Court of Warwickshire, at Birmingham.—*John Sherriff*, Aston, Warwickshire, die sinker, Dec. 6 at 10, County Court of Warwickshire, at Birmingham.—*Thomas Hardwick*, Dunstable, Bedfordshire, out of business, Nov. 20 at 11, County Court of Bedfordshire, at Luton.—*Samuel Bury*, Dunham Massey, Cheshire, farmer, Dec. 8 at 10, County Court of Cheshire, at Altrincham.—*Wm. Wickham Faircloth*, St. Alban's, Hertfordshire, attorney-at-law, Nov. 26 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*William Grigg Morris*, Runcorn, Cheshire, general dealer and agent, Dec. 5 at 10, County Court of Cheshire, at Runcorn.—*Thos. Webb*, Bloxwich, Staffordshire, publican, Nov. 28 at 12, County Court of Staffordshire, at Walsall.—*Jas. Tanner*, Box, Wiltshire, licensed victualler, Nov. 20 at half-past 11, County Court of Wiltshire, at Chippenham.—*Henry Evans*, Bristol, assistant to a grocer, Dec. 31 at 11, County Court of Gloucestershire, at Bristol.—*James Vowles*, Bristol, mason, Dec. 31 at 11, County Court of Gloucestershire, at Bristol.—*Samson Davis*, Walsall, Staffordshire, carrier, Nov. 28 at 12, County Court of Staffordshire, at Walsall.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 24 at 11, before Mr. Commissioner PHILLIPS.

Samuel Humm, (and not *Samuel Shiner*, as inserted in last Friday's Gazette), Bethnal-green-road, Middlesex, hat manufacturer.

Nov. 28 at 11, before the CHIEF COMMISSIONER.

John B. Nunn, Cannon-street, St. George's-in-the-East, Middlesex, shoemaker.—*George Wm. Eagle*, Southampton-row, Russell-square, Middlesex, confectioner.—*Fras. Prosser*, Queen-street, Edgeware-road, and Park-street, Dorset-sq., Middlesex, baker.—*John P. Newman*, Great Queen-street, Lincoln's-inn-fields, Middlesex, tailor.—*George Baker*, Old Ford, Bow, Middlesex, miller.

Nov. 29 at 11, before Mr. Commissioner PHILLIPS.

John Mendes, White's-row, Spitalfields, Middlesex, general dealer.—*Thomas Sprinks*, Stockwell-green, Lambeth, Surrey, bricklayer.—*Wm. Pugh*, Earl-street West, Edgeware-road, Middlesex, wholesale oilman.—*Charles Staring*, Ramsham, Essex, market gardener.—*John Yolland*, Dorset-crescent, East-road, City-road, Middlesex, manufacturing upholsterer.

Dec. 1 at 10, before Mr. Commissioner LAW.

L. B. Thompson, widow, Woolwich, Kent, general shopkeeper.—*R. D. Featherstone*, Deptford, Kent, baker.—*Wm. Her*, Northumberland-court, Strand, Middlesex, carpenter.

Dec. 1 at 11, before Mr. Commissioner PHILLIPS.

Geo. F. Green the elder, Colehill-lane, Fulham, Middlesex, accountant to Wylam's Steam Fuel Company.—*C. Brown*, Butler's-buildings, Bermondsey-street, Southwark, Surrey, merchant's clerk.—*Jas. Merritt*, Up Havering Farm, Hornchurch, Essex, farmer.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Nov. 28 at 11, before the CHIEF COMMISSIONER.

James Barker, Throgmorton-street, London, assistant to a bookseller.—*Geo. S. Acret*, Houndsditch, London, assistant to a truss manufacturer.—*W. Broom*, Great Ormond-yard, Great Ormond-street, Bloomsbury, Middlesex, coachsmith.

Nov. 28 at 10, before Mr. Commissioner LAW.

Benj. Wallington, Skinner-street, London, attorney-at-law.

Nov. 29 at 11, before Mr. Commissioner PHILLIPS.
George Terry, Leadenhall-street, London, confectioner.

Dec. 1 at 10, before Mr. Commissioner LAW.

Jos. James Dell, York-road, Kennington-road, Lambeth, Surrey, commission agent.—Wm. Caulfield, Bennett's-buildings, Kennington-lane, Kennington, Surrey, in no business.
—Wm. Lawrie, Bradshaw-street, Camberwell, Surrey, out of business.

The following Prisoner is ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Gloucestershire, at BRISTOL,
Dec. 3 at 11.

Joseph Fryer, Bristol, out of business.

The Queen has been pleased to appoint Christopher Temple, Esq., to be Chancellor of the county palatine of Durham, in the room of Sir Richard Torin Kindsley, resigned.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Joseph Rayner, Gent., of Huddersfield, Yorkshire, to be a Master Extraordinary in the High Court of Chancery.

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EAGLE INSURANCE COMPANY.—London, August 8, 1851.—At the ANNUAL GENERAL MEETING of PROPRIETORS held this day,

The Hon. JOHN CHETWYND TALBOT, Q. C., the Chairman of the Company, in the Chair,

A Report was read, from which it appeared—
That the Income of the Company for the year ending June 30, 1851, was £140,338 1 0
The Premium on Policies issued in the year 5,399 13 9
The Claims on decrease of Lives assured 83,691 1 9
The Expenses 5,686 5 0
The Total Assets of the Company 704,010 14 0
The Report entered into further details, and finished by stating that the Directors felt it unnecessary to dwell further upon the items of the year's account, as the quinquennial valuation to be made in June next was so near.

The Report was unanimously adopted, and some routine business having been disposed of, the thanks of the meeting were very cordially voted to the Chairman, Directors, and officers of the Company, when the meeting separated.

The Premiums required by this Company are very moderate, and moreover are accurately adjusted.

The Assured of the participating class share the whole surplus, less 20l. per cent. only.

The Lives assured may travel and live in any part of the globe, not within thirty-three degrees of the equator, without extra charge.

Transfers are registered, and assignments may be effected on forms supplied by the Company; and in all particulars the interests of the assured are carefully consulted.

3, Crescent, New Bridge-street, Blackfriars, September, 1851.

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The Jurist

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NOVEMBER 22, 1851.

PRICE 1s.

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LONDON, NOVEMBER 22, 1851.

ON an application, which was made a short time ago to a Court of law, for inspection of documents under the new Evidence Act, the Court limited the order to inspection of the defendant's documents relating to the matters in issue. That this limitation is required there cannot be much doubt, but we apprehend the limitation must go much further.

The construction of that clause of the act which gives power to a Court of law to grant inspection, requires much consideration, and will probably be the subject of many contests before it is settled. A notion seems, however, to have got abroad, that wherever one might before the act have filed a bill of discovery in equity, there inspection of the defendant's documents, without stint, may be ordered. The language of the act is, that inspection may be ordered of documents *in the custody or under the control of the party, &c.*, in all cases in which, previous to the act, *a discovery might have been obtained by filing a bill, or by any other proceeding in equity*, at the instance of the party so making application, &c. Now, under these words, we apprehend that what was meant was and is no more than this—that a party may now at law obtain an order for inspection of his opponent's documents, where he might have obtained it before in equity, and not further or otherwise. In effect the act transplants into a Court of law the power of a Court of equity, of compelling production and inspection of documents. Now, if that is so, all the rules which in equity limit the right to obtain production and inspection of documents, must be looked at, and in particular the fundamental one, that you must take the fact of what documents are in the custody or under the control of the party from his own

mouth, and that you cannot be allowed to read affidavits against his answer. In equity procedure this rule is as firmly established as any rule whatever can be said to be; and, without referring to the numerous cases which are to be found upon it in the books of practice, we may refer to the singular case of *Reynell v. Sprye*, which was heard and determined on the 20th instant by the Lords Justices of Appeal in Chancery, in which the sole point, as a point of practice, was, whether, as to certain documents denied by the answer of Reynell (the defendant to a cross bill) to be in his possession or power, the plaintiff in the cross suit could be heard upon affidavits to move for their production, the affidavits (if believed) shewing that the documents were in the defendant's possession at the time when he swore they were not; and the Lords Justices held, that assuming, merely for the purpose of the argument, every statement made on behalf of the moving party to be true—that is, assuming that the answer was untrue—yet nothing could be looked at but the answer, and that no order for inspection could be made. Nothing, then, is more certain than that in equity a plaintiff cannot move, upon any evidence except the defendant's admissions, for the production of his documents. Nothing, also, is more certain than that a defendant cannot move, on any evidence against the plaintiff, for production of his documents; but that, if he wishes such production, he must convert the plaintiff into a defendant by filing a cross bill against him.

This being so, we apprehend that, under the act, an application at law for inspection of documents ought to be made upon examination of the party against whom it is made, and that upon his admission or denial alone can it be supported; for if such an application



is made upon affidavits, or on any other evidence than the admission of the respondent, it is clearly made in a case in which discovery, that is, discovery of documents, could not be obtained in equity;—unless, indeed, it be held, that the 2nd section, which makes either party competent and compellable to give evidence on any inquiry, or on the trial of any matter or thing arising in any suit or action, overrides the existing rule of practice of the Court of Chancery, and enables the plaintiff, at least in a suit, to give evidence against the defendant in regard to his possession of documents. But this, we conceive, can hardly be the construction of the act, as, if it had been intended to destroy the rule of the Court of Chancery upon production of documents, it would be a very rude and incomplete mode of doing it, to let in only the evidence of the plaintiff, the person the least likely of all persons in the world to have any means of obtaining direct knowledge.

It must not be forgotten either, that in equity, when a defendant, admitting the possession generally of documents by his answer, states, on producing them, that some parts do not relate to the matters in issue, he is at liberty to seal up such parts, verifying them by affidavit. But against this affidavit counter-affidavits may be read. But if he verifies the parts that do not relate to the matters in issue, by his answer—that is, if he swears by his answer that a certain page of a book in his possession relates to his own affairs exclusively, and not to the matters in issue—then, as the effect of that is, that, as regards the excepted page, he denies that he had in his possession any document relating to the matters in issue, no evidence can be received, on an application for production, against that statement by the answer. The result would seem to be, that it must be anticipated that under the act the party, against whom an order for inspection is asked at law, must be examined; and that, treating his evidence as in the nature of an answer, upon his statements alone can the order be grounded.

WHETHER A SOLICITOR DISCHARGED BY HIS CLIENT MAY ACT FOR THE OTHER SIDE.

A SOLICITOR who has been engaged for one party in a cause will not be allowed to cast him off, and act for his antagonist, against the client from whom he has discharged himself; but whether a solicitor who has been discharged by his client will be allowed to act for his opponent in the same cause can hardly be considered a settled point upon the authorities.

In the well-known case of *Earl Cholmondeley v. Lord Clinton* (19 Ves. 261) a solicitor, who had once been a clerk of Lord Clinton's solicitor, and afterwards his partner, and in both capacities had acquired information relative to the defendant's title to the estates in question in the suit, and matters connected therewith, the communication of which to the plaintiff would be highly prejudicial and injurious to the defendant, after dissolving the partnership accepted the office of solicitor to the plaintiff; and upon an application being made, on behalf of the defendant, to Lord Eldon for an injunction to restrain the plaintiff from employing him as his solicitor in the suit, or as his attorney or solicitor in any other suit in equity or action at law commenced or to be commenced by the plaintiff against the defendant, in respect of any estates or property the title whereof had come to the knowledge of the solicitor in question as clerk to the defendant's solicitor, or as the solicitor of the defendant in such partnership as aforesaid; and also to restrain the solicitor in question from acting as solicitor or attorney of the plaintiff in any such suits or actions, and from communicating to the plaintiff, his counsel, solicitors, attorneys, or agents, any

information relating to the matters in dispute in such suits or actions which had come to his knowledge in either of the capacities before mentioned; his Lordship, after consulting all the Common-law Judges, the Master of the Rolls, and the Vice-Chancellor, declared their unanimous opinion, agreeing with his, that the solicitor was not at liberty to act in the manner proposed, and that, having left the cause, he was not in the situation of a solicitor discharged by the client, and therefore could not become the solicitor of the other party in the same cause. In supporting the motion for the injunction, Sir Samuel Romilly argued, that, as the plaintiff could not compel the solicitor to appear and disclose his information as a witness, he could not obtain and make use of that information by employing him in the far more important situation of solicitor. Had the solicitor not been in partnership, and the client refused any longer to employ him, the case might be different; but here he was not rejected by, but rejecting, the client; and also, that the solicitor was disabled from performing his duty to his new client, because it was not possible for him to divest himself of the knowledge he had acquired in the defendant's service, and which he had bound himself, by his oath as a solicitor, to use for his benefit; and Lord Eldon, before consulting the other judges, said that, in his view of the facts of the case, both the partners were the solicitors of the defendant until the dissolution of their partnership; the dissolution was the effect of a contract between themselves; and he could not agree that the defendant and the solicitor were in the relation of discharging client and discharged solicitor. What was the situation of the client? If he was not to employ both, he must employ one or neither; if he was to employ one, the other, it was said, might consider himself let loose, as if discharged from all those obligations which he had undertaken; and both, if he employed neither of them, might consider themselves as so let loose, and at liberty to exert their separate efforts against him, and to be as hostile to him as they pleased: one ceased to be solicitor by the act of both, placing the client in such a situation that he must take one, as the least of the two evils between which their act compelled him to choose: it was impossible, therefore, to consider the solicitor as discharged. However, his Lordship made no order, as the solicitor had no intention of acting wrong, but was led, by the advice he had taken, to think he was right. (See p. 276 of the report, and *Daniel v. Clough*, 8 Sim. 262.)

In a recent case, (*Parratt v. Parratt*, 2 De G. & S. 258), before Knight Bruce, V. C., a motion was made on behalf of a defendant who was the acting executor of a will, and also one of the residuary legatees under it, to restrain a solicitor, whom he had employed in the trust estate generally, from acting on behalf of some other residuary legatees, who had filed an administration bill. It appeared that the solicitor had been discharged by the client, and had subsequently applied to him, on behalf of one of the plaintiffs in the suit, for an account of the testator's property, before the bill was filed; but the learned judge refused to entertain the application, chiefly because the solicitor had been discharged by the client, and because there were no special circumstances to induce the Court to interfere. In another case (*Robinson v. Mullett*, 4 Price, 363) a bill had been filed by one of the defendants in the cause of *Robinson v. Mullett*, against the plaintiffs and other defendants in that cause, for the purpose of procuring the opinion of the Court upon the construction of a will; all the defendants to that bill, including the plaintiffs in the cause of *Mullett v. Robinson*, employed the same solicitors to put in their answer, the suit being an amicable one. Afterwards, in consequence of disputes arising between the parties, the plaintiffs in *Robinson v. Mullett* instituted that suit, and employed the same solicitors to prosecute it who had acted for them and

the defendants to it in the amicable suit; whereupon some of those defendants obtained an injunction restraining the solicitors from acting for the plaintiffs in that suit, or in any other suit or action between the parties; but upon a motion to discharge the order, the solicitors deposing that they were not in possession of any secrets of the defendants, or any information whereby their interests could in the slightest degree be prejudiced, and that all communications made by the defendants to them had been made in the presence of the plaintiffs, or subsequently related to them by the deponents, the Court held that the employment of the solicitors for the plaintiffs by such of the defendants as they had acted for in the amicable suit, and to such an extent only, was too slight a ground for the application to restrain them from acting in the cause, as there did not appear to have been any important confidential matter disclosed to them, the knowledge of which might be used in prejudice of the defendants, and therefore discharged the order.

On the other hand, in *Hutchins v. Hutchins* (1 Hog. 315) an application was made to the Master of the Rolls in Ireland, Sir William M'Mahon, to restrain a solicitor, who had been employed, but discharged by the defendant, from acting for the plaintiff in the same suit. The solicitor swore that he had altogether forgotten the nature and purport of the communications he received from the defendant when employed by him, and that he believed that, as the suit was an amicable one, no secret, important to its defence, was communicated to him by the defendant; and it was contended on his behalf, that he was justified in acting as he had done, because his former client had discharged him. But the learned judge said, that the law of evidence afforded the best criterion of coming to a right result on the subject; an attorney would not be allowed in civil or criminal proceedings to reveal the confidential communications of his client, without regard to the distinction whether he had been discharged by him or not; no question could be entered into relative to the merits of the client; the attorney's lips were sealed, no matter how the client had acted towards him. The principle of *Cholmondeley v. Clinton* was, as he recollected it, to render it impossible for a solicitor to accept of a new and inconsistent engagement, which would almost inevitably lead to the violation of this duty, which must be violated if the case of one party in a cause was conducted by the person acquainted confidentially with all the weaker points and special circumstances of the title or case of his opponent; and he could not conceive how the solicitor could discharge his mind from the recollection of those points, in giving the best advice which he could to the antagonist of his former client. It was clear, therefore, that those inconsistent relations ought not to be successively undertaken by the same person. If the principle on which relief was given by injunction was sound, it seemed difficult and inconvenient to make it depend upon the solution of the question whether the solicitor had retired from the client, or whether they had parted by mutual consent, or whether the client had discharged him without any adequate cause, or had been compelled to dismiss him on account of misconduct or neglect. All these different cases might arise: the most general one which occurred was where, with faults on both sides, they parted by mutual consent. Special cases might no doubt arise, as in the case of *Robinson v. Mullett*, or where the client was exercising his right with manifest fraud; but he spoke of general classes of cases. In the present case he saw nothing in the special facts to make it an exception to the decision in *Cholmondeley v. Clinton*, and therefore he granted the injunction.

The distinctions between these three cases are very slight, and, as it would seem, unimportant, as to the principle upon which they were determined. In the

first case (*Parratt v. Parratt*) the solicitor, whom it was sought to restrain from acting against the client for whom he had been previously engaged, had been consulted by that client, and the connexion between them dissolved, before the institution of any suit respecting the property in dispute; but the solicitor had advised both his clients upon the same subject adversely against each other at different times; and unless the fact of the suit having been instituted after he had acted for both parties shall be deemed a circumstance of sufficient importance to distinguish the case from that of *Hutchins v. Hutchins*, in which, as in *Parratt v. Parratt*, the client discharged the solicitor, it follows that the decisions in those cases are directly conflicting. Again: in *Robinson v. Mullett* the solicitors had acted for their former clients, not in the same suit in which it was sought to restrain them from acting for the plaintiffs, but in another suit relating to the same subject, in which they had also acted for the plaintiffs in the second suit; so that this case was very special in its circumstances, and is distinguishable from both the others, inasmuch as the solicitors could not be said to have been discharged by their first clients. But as the Court refused to sustain the order by which they had been restrained from acting against their first clients, the case must be considered an authority in favour of the determination in *Parratt v. Parratt*.

T. H. F.

COURT OF EXCHEQUER.

MICHAELMAS TERM.—15 VICTORIA.—Nov. 19, 1851.

This Court will hold Sittings on Monday, the 1st, and Tuesday, the 2nd, days of December, and on Friday, the 5th day of December next, and will at such Sittings proceed in disposing of the business then pending in the Demurrer Paper, and also in giving judgment in all matters then standing for judgment.

FREDERICK POLLOCK.

J. PARKER.

E. H. ALDERSON.

T. J. PLATT.

Read in open Court—*E. Bennett*.

London Gazette.

TUESDAY, NOVEMBER 18.

BANKRUPTS.

SARAH ISHERWOOD and NICHOLAS THOMAS ISHERWOOD, Ludgate-hill, London, house decorators and upholders, dealers and chapmen, Nov. 24 at 2, and Jan. 1 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Reid & Co., Friday-street, Cheapside.—Petition filed Nov. 14.

THOMAS JAMES LOUGH and CHARLES WILLIAM LEWIS, Great St. Helen's, Bishopsgate-street Within, London, drysalers, dealers in gums and drugs, dealers and chapmen, Dec. 1 at 2, and Jan. 8 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Fry & Loxley, 80, Cheapside.—Petition filed Nov. 18.

WILLIAM WHITE, Winchester, Southampton, builder, Nov. 28 at 12, and Jan. 2 at half-past 12, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Edwards & Godwin, Winchester; Sanger; 4, Essex-court, Temple.—Petition dated Nov. 13.

GEORGE WAKELING, Chelmsford, Essex, auctioneer, dealer and chapman, Nov. 29 at 2, and Jan. 10 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Chalk & Meggy; Chelmsford; Trehern & White; 11, Barge-yard, Bucklersbury.—Petition dated Nov. 17.

SPENCER ASHLIN, Eastcheap, London, corn factor, dealer and chapman, (trading under the firm of Spencer Ashlin & Co.), Dec. 5 at 11, and Jan. 30 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Murray, 11, London-street.—Petition dated Nov. 15.

JOHN CUSTANCE, formerly of Sutton, Cambridgeshire: afterwards of Clifton-st., Finsbury, Middlesex, and now of Greenwich, Kent, miller, dealer and chapman, Nov. 29 at 2, and Jan. 10 at half-past 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Lawrance & Co., Old Jewry-chambers, London.—Petition dated Nov. 12.

ARCHIBALD MOUAT, Creed-lane, London, wine and spirit merchant, dealer and chapman, Dec. 2 and Jan. 6 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Young & Son, 29, Mark-lane, Fenchurch-street.—Petition filed Nov. 13.

RICHARD WILLIAM DADD, Chatham, Kent, victualler and builder, Nov. 25 at half-past 12, and Dec. 23 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Cox & Sons, 14, Sise-lane, Bucklersbury.—Petition filed Nov. 14.

JOHN FULLER, Ely, Cambridgeshire, stonemason and bricklayer, dealer and chapman, Nov. 28 at 1, and Dec. 23 at half-past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. T. & G. Archer, Ely; Pickering & Co., 4, Stone-buildings, Lincoln's-inn.—Petition filed Nov. 5.

JOHN CLARKE SANDFORD, Paternoster-row, London, stationer and bookseller, dealer and chapman, Dec. 5 at half-past 11, and Dec. 23 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Innes, 20, Billiter-street, City.—Petition filed Nov. 18.

JOHN WHITWAM the younger, Huddersfield, Yorkshire, woollen cloth manufacturer, dealer and chapman, Dec. 1 at 12, and Dec. 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Floyd, Huddersfield; Bond & Barwick, Leeds.—Petition dated Nov. 13.

JOHN HILL, Thorne, Yorkshire, wine and spirit merchant, Dec. 6 and Jan. 10 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sols. England & Son, Hull; Bulmer, Leeds.—Petition dated Nov. 8.

THOMAS CARR, Doncaster, Yorkshire, innkeeper, Dec. 6 and Jan. 10 at 10, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Smith, Doncaster.—Petition filed Nov. 12.

RICHARD COLLINS, Bawdlands, Clitheroe, Lancashire, grocer and provision dealer, Nov. 28 and Dec. 19 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Sutton, Manchester; Blackhurst & Son, Preston.—Petition filed Oct. 14.

JOHN ENTWISLE, Radcliffe and Manchester, cotton manufacturer, dealer and chapman, Nov. 28 and Dec. 19 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Sale & Co., Manchester.—Petition filed Nov. 13.

THOMAS FRAY, Wigan and Manchester, check manufacturer, dealer and chapman, Dec. 2 and 13 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Mayhew, Wigan, Lancashire.—Petition filed Nov. 12.

MEETINGS.

James Henry Mills, Hove, Sussex, broker, Nov. 29 at 1, Court of Bankruptcy, London, pr. d.—*Benj. Tedd*, Coventry, Warwickshire, cotton dresser, Dec. 4 at half-past 11, District Court of Bankruptcy, Birmingham, last ex.—*James Bassett*, High-st., Shoreditch, Middlesex, eating-house keeper, Dec. 12 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. Henry Oram* and *Wm. Heard*, Noble-st., London, traders, Dec. 12 at 12, Court of Bankruptcy, London, aud. ac.—*David Phillips*, Cardiff, Glamorganshire, linendraper, Dec. 5 at 11, District Court of Bankruptcy, Bristol, aud. ac.; Dec. 10 at 11, div.—*Samuel Willett* the elder, Cheltenham, Gloucestershire, plumber, Dec. 13 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas George Phillips*, Newport, Monmouthshire, grocer, Dec. 5 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Samuel Delhick* and *Thomas Richard Kay*, Newton-heath, near Manchester, common brewers, Dec. 1 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 10 at 12, fin. div.—*William Whitehead*, Lancaster, cabinet maker, Dec. 3 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 9 at 12, div.—*Wm. Mitchell* and *Wm. Binns*, Barnsley, Yorkshire, ironfounders, Dec. 8 at 11, District Court of Bankruptcy, Leeds, aud. ac.; Dec. 15 at 11, div.—*Daniel Odell*, Clapham, Bedfordshire, grocer, Dec. 8 at half-past 12, Court of Bankruptcy, London, div.—*Robert Summerville*, Bath-street, City-road, Middlesex,

pawnbroker, Dec. 8 at 12, Court of Bankruptcy, London, div.—*Andrew Valentine Leaman* and *William Andrew*, Fenchurch-street, London, wholesale mahogany merchants, Dec. 12 at 11, Court of Bankruptcy, London, div.—*Edmund Smith*, Shide, near Newport, Isle of Wight, brickmaker, Dec. 9 at 11, Court of Bankruptcy, London, div.—*Handy Davis* and *Jesse Davis*, Chalford, Gloucestershire, clothiers, Dec. 15 at 11, District Court of Bankruptcy, Bristol, fin. div.—*James Pownall*, Manchester, brewer, Dec. 10 at 12, District Court of Bankruptcy, Manchester, div.—*George Cappur* and *Ralph Cappur*, Nantwich, Cheshire, cheese factors, Dec. 9 at 11, District Court of Bankruptcy, Liverpool, div. joint est. and div. sep. est. of *George Cappur*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Alexander Laing, Halifax, Yorkshire, draper, Dec. 10 at 11, Court of Bankruptcy, London.—*John Whitfield* and *George James Whitfield*, Lamb's Conduit-street, Middlesex, cheesemongers, Dec. 10 at 1, Court of Bankruptcy, London.—*Edward Davis*, Northampton, currier, Dec. 10 at 2, Court of Bankruptcy, London.—*Edward Leech*, Chichester, Sussex, apothecary, Dec. 10 at half-past 1, Court of Bankruptcy, London.—*Walter Levy*, White's-row, Spitalfields, Middlesex, macaroni manufacturer, Dec. 10 at 11, Court of Bankruptcy, London.—*Joseph Cundall*, Old Bond-street, Middlesex, bookseller, Dec. 10 at 12, Court of Bankruptcy, London.—*John Forman* and *Robert Frow*, Kingston-upon-Hull, joiners, Dec. 31 at 12, District Court of Bankruptcy, Kingston-upon-Hull.—*John Collins*, Clitheroe, Lancashire, provision dealer, Dec. 9 at 12, District Court of Bankruptcy, Manchester.—*William Crankshaw*, Walk-mill, Colne, Lancashire, cotton spinner, Dec. 9 at 12, District Court of Bankruptcy, Manchester.—*James Stevenson*, Liverpool, merchant, Dec. 9 at 11, District Court of Bankruptcy, Liverpool.—*Noah Welch*, Deepfields, Sedgley, Staffordshire, iron manufacturer, Dec. 11 at half-past 11, District Court of Bankruptcy, Birmingham.—*William Cox*, Smethwick, Staffordshire, iron manufacturer, Dec. 11 at half-past 11, District Court of Bankruptcy, Birmingham.—*John Beach*, Bradford, Yorkshire, apothecary, Dec. 11 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

William Brown, Brunswick-street, Stamford-street, Christchurch, Surrey, engineer.—*John Birnie Philip*, *John Richard Clayton*, *Edward Agar Wynne*, and *John Lamsden*, East-street, Manchester-square, Middlesex, builders.—*Richard Good*, Bishopgate-street Without, London, stationer.—*Geo. Edwin Deeley*, Brunswick-terrace, Trinity-street, Dover-road, Newington, Surrey, ironfounder.—*William Whitehead*, Lancaster, cabinet maker.—*John George Thomson*, Manchester, agent.—*John Midgley*, Kingston-upon-Hull, carpenter.

PARTNERSHIP DISSOLVED.

Henry Milnes and *Thomas Sale*, Loominster, Herefordshire, attornies-at-law and solicitors.

SCOTCH SEQUESTRATIONS.

David Scott, Craigrothie, Fifeshire, manufacturer.—*John Davidson*, Aberdeen, grocer.—*Andrew Robert Wilson*, Glasgow, tailor.—*Thomas Gordon*, Aberdeen, innkeeper.—*James Brown*, Glasgow, accountant.—*Robert Henderson*, deceased, Glasgow, Balmaha, and Kirkintilloch, and Holm, near Kirkintilloch, chemical manufacturer.—*John Fleming*, Paisley, pawnbroker.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robt. Howard, Little Melton, Norfolk, beer-house keeper, Dec. 1 at 10, County Court of Norfolk, at Norwich.—*John Browne*, Norwich, baker, Dec. 1 at 10, County Court of Norfolk, at Norwich.—*Edward Mitchell*, Little Hampton, Sussex, shoemaker, Nov. 29 at 10, County Court of Sussex, at Arundel.—*William Ullett*, Deeping Fen, Lincolnshire, out of business, Dec. 8 at 12, County Court of Lincolnshire, at Spalding.—*W. Wardle*, Coalville, Whitwick, Leicestershire, publican, Dec. 16 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*George Burton*, Coalville, Whitwick, Leicestershire, labourer, Dec. 16 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*John Willson*, Manchester, hosier, Nov. 28 at 12, County Court of Lancashire, at Manchester.—*John*

Sloane, Manchester, haircutter, Nov. 28 at 12, County Court of Lancashire, at Manchester.—*Silas Tinney*, St. Austell, Cornwall, cabinet maker, Dec. 4 at 10, County Court of Cornwall, at St. Austell.—*J. A. Woolman*, Chapel, Essex, licensed victualler, Dec. 1 at 12, County Court of Essex, at Colchester.—*Cornelius Meaker*, Bristol, assistant to an auctioneer, Dec. 3 at 11, County Court of Gloucestershire, at Bristol.—*Rev. Thurstan Forshaw*, Newchapel, Wolstanton, Staffordshire, clerk, Nov. 27 at 10, County Court of Staffordshire, at Hanley.—*Francis Candler*, Belchamp St. Paul's, Essex, brickmaker, Dec. 5 at 11, County Court of Suffolk, at Sudbury.—*William Rickold*, Long Melford, Suffolk, cocoa nut fibre manufacturer, Dec. 5 at 11, County Court of Suffolk, at Sudbury.—*Wm. Lorrinan*, Bebbington, Cheshire, mariner, Nov. 28 at 10, County Court of Cheshire, at Birkenhead.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Nov. 29 at 11, before Mr. Commissioner PHILLIPS.

Adjourned Case.

Wm. Dance, Rufford's-row, Islington, Middlesex, artist.

Dec. 3 at 11, before the CHIEF COMMISSIONER.

John Bee, Gastigny-place, Bath-street, St. Luke's, Middlesex, carpenter.—*Chas. P. Parsloe*, King-street, Golden-sq., Middlesex, keeper of a billiard-room.—*Richard A. Pfeffer*, Church-street, Bethnal-green, Middlesex, dealer in butter.—*Mary Ann Baxter*, widow, St. George's-street, Ratcliff, Middlesex, hosier.—*George Heath*, High-street, Wandsworth, Surrey, corn dealer.

Saturday, Nov. 15.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Wm. E. Waddington, Barneley, Yorkshire, currier, No. 74,272 C.; *Elkanah Aspinall*, assignee.—*Joseph Kitchen*, Leeds, Yorkshire, corn dealer, No. 74,186 C.; *Wm. Lightfoot*, assignee.—*Robert Plews*, Hyde, Cheshire, tin-plate worker, No. 74,296 C.; *James Pickles*, assignee.—*David Watkins*, Herwin, near Merthyr Tydvil, Glamorganshire, grocer, No. 73,732 C.; *Charles Edwin Matthews*, assignee.—*Robert James* the younger, Badbrook, Stroud, Gloucestershire, butcher, No. 74,181 C.; *Samuel Gardener*, assignee.—*John Hyde*, Sheffield, Yorkshire, estate agent, No. 74,189 C.; *H. J. Hare*, assignee.—*James Dawson*, Huddersfield, Yorkshire, cloth finisher, No. 74,250 C.; *J. Milnes*, assignee.

Saturday, Nov. 15.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

James Lawrie, Gracechurch-street, London, brass finisher: in the Debtors Prison for London and Middlesex.—*John Hulbert*, Brook-street, West-square, Lambeth, Surrey, in no trade: in the Queen's Prison.—*Mary Wellings*, spinster, London-wall, London, coffee-room keeper: in the Queen's Prison.—*Samuel East*, Artillery-lane, Bishopsgate, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Henry Brooks*, Charles-street, Hatton-garden, Middlesex, carrier and glider: in the Debtors Prison for London and Middlesex.—*Thomas Chas. Stanbrough*, Goswell-road, Clerkenwell, Middlesex, wine merchant: in the Debtors Prison for London and Middlesex.—*Wm. Yates*, Wynatt-street, Goswell-road, Clerkenwell, Middlesex, assistant to a baker: in the Debtors Prison for London and Middlesex.—*George Lea*, Wellington-street, Victoria-road, Bethnal-green, Middlesex, grocer: in the Queen's Prison.—*James Welch* the younger, Pratt-street, Camden-town, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Walter Elliot*, Bedfordbury, St. Martin's-lane, Middlesex, leather seller: in the Debtors Prison for London and Middlesex.—*Jas. Croasdale*, Rochdale, Lancashire, draper: in the Gaol of Lancaster.—*John Scott*, Dyffryn Castell, Llanbadarnfawr, Cardiganshire, coachman: in the Gaol of Cardigan.—*S. Blackwell*, widow, Walton-by-Kincote, near Lutterworth, Leicestershire, sempstress: in the Gaol of Leicester.—*Moses Edwards*, Ystrad, Llandingat, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*Thos. Jifkins*, Pontypool, Monmouthshire, grocer:

in the Gaol of Monmouth.—*James Turner*, Claines, Worcestershire, travelling tea dealer: in the Gaol of Worcester.—*T. Thompson*, South Shields, Durham, currier: in the Gaol of Durham.—*T. Grant*, Sunderland, Durham, publican: in the Gaol of Durham.—*Jas. Kimberley*, Bloxwich, Staffordshire, labourer: in the Gaol of Stafford.—*A. Winter*, Chorlton-upon-Medlock, Manchester, licensed victualler: in the Gaol of Lancaster.—*H. Crockwell*, Salford, Lancashire, salesman: in the Gaol of Lancaster.—*J. Butcher*, Manchester, pork butcher: in the Gaol of Lancaster.—*Wm. Bates*, Ardwick, Manchester, block cutter: in the Gaol of Lancaster.—*Thomas Maddocks* the younger, Perthethar Mill, Little Dewchurch, Herefordshire, farmer: in the Gaol of Hereford.—*Thomas Brown*, York-street, Lancaster, licensed victualler: in the Gaol of Lancaster.—*Thomas Gardner*, Hulme, Manchester, out of business: in the Gaol of Lancaster.—*Wm. Holland*, Heaton Norris, Lancashire, grocer: in the Gaol of Lancaster.—*Robt. Jones*, Manchester, tailor: in the Gaol of Lancaster.—*David L. Lewis*, Birkenhead, near Liverpool, wool merchant: in the Gaol of Lancaster.—*James M. Mullely*, Hulme, Manchester, joiner: in the Gaol of Lancaster.—*Samuel Stones*, Leeds, Yorkshire, small shopkeeper: in the Gaol of York.—*Thomas Travis*, Oldham, Lancashire, manager of a cotton mill: in the Gaol of Lancaster.—*Robert Wood*, Stubble, near Rochdale, Lancashire, bookkeeper: in the Gaol of Lancaster.—*Robert Foster Wray*, Briggate, Leeds, Yorkshire, coffee-house keeper: in the Gaol of York.—*John Crampton*, Salford, Lancashire, butcher: in the Gaol of Lancaster.—*Ewan Eyre*, Chorlton-upon-Medlock, Manchester, merchant's clerk: in the Gaol of Lancaster.—*Wm. Hobson*, Hulme, Manchester, slipper maker: in the Gaol of Lancaster.—*John Watson*, Heaton Norris, near Manchester, out of business: in the Gaol of Lancaster.—*Margaret Cochran*, Everton, Liverpool, hosier: in the Gaol of Lancaster.—*John Leuer*, Manchester, tripe dresser: in the Gaol of Lancaster.—*Edward Walsh*, Blackburn, Lancashire, joiner: in the Gaol of Lancaster.—*Wm. Farrar*, Liverpool, ship broker: in the Gaol of Lancaster.—*J. Worsley*, Preston, Lancashire, licensed victualler: in the Gaol of Lancaster.—*James Eaton*, Liverpool, commission agent: in the Gaol of Lancaster.—*George Hester*, Trafalgar-road, Greenwich, Kent, carpenter: in the Gaol of Maidstone.—*John Hook*, Minster, Isle of Sheppy, Kent, tea dealer: in the Gaol of Maidstone.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 2 at 11, before the CHIEF COMMISSIONER.

John Reek, Red Lion-st., Clerkenwell, Middlesex, currier.

Dec. 4 at 11, before Mr. Commissioner PHILLIPS.

John B. Burke, Alfred-place West, Thurloe-sq., Brompton, Middlesex, barrister-at-law.—*Benjamin Smith*, Adam-street, Harper-st., New Kent-road, Surrey, cutler.—*John G. Wise*, Queen-street, Cheapside, London, boot maker.—*James H. S. Wildemith*, Long-alley, Finsbury, Middlesex, manufacturing chemist.—*John C. Todd*, Hanway-st., Oxford-st., Middlesex, staymaker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at MAIDSTONE, Dec. 2.

John Hadley, Sittingbourne, out of business.—*William Cook*, Plumstead-common, farmer.—*Ambrose Bryant*, Marsh-green, Edenbridge, shoemaker.—*George Hester*, Greenwich, carpenter.

At the County Court of Cornwall, at BODMIN, Dec. 3 at 10.

Wm. Chegwyn, Launceston, dealer in pigs.

At the County Court of Monmouthshire, at MONMOUTH, Dec. 12 at 2.

Thomas Jifkins, Pontypool, grocer.

INSOLVENT DEBTORS' DIVIDENDS.

Charles Percivall, Grosvenor-park, Camberwell, Surrey, out of business: 4s. 3½d. in the pound.—*Charles Stuart*, Russell-grove, North Brixton, Surrey, clerk to a newspaper publisher: 1s. 7½d. in the pound.—*Anne K. H. Louis*, widow, Bernard-st., Middlesex: 1s. 6d. in the pound.—*Wm. P. Le Keux*, Eltham, Kent, smith: 2s. 8d. in the pound.—*Charles S. Masterman*, Bacon-st., Bethnal-green, Middlesex, bricklayer: 3s. 5d. in the pound.—*George Webb*, Twyford,

Hampshire, draper: 5s. 6½d. in the pound.—*Gabriel Machin*, Reading, Berkshire, grocer: 1s. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Frederick T. Hassell, Chancery-lane, London, and West Teignmouth, Devonshire, gentleman, Nov. 1 at 11, Court-house, Portugal-st., Lincoln's-inn-fields, London, pr. d.

FRIDAY, NOVEMBER 21.

BANKRUPTS.

THOMAS PATIENT, Saffron Walden, Essex, cooper, carpenter, wheelwright, and blacksmith, Nov. 29 and Jan. 16 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. W. & R. D. Thargood, Saffron Walden; Sharpe & Co., 41, Bedford-row, London.—Petition dated Nov. 18.

ALFRED BRADFORD, Assembly-row, Mile-end-road, Middlesex, licensed victualler, dealer and chapman, Nov. 29 at half-past 12, and Jan. 16 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Shaen & Grant, Kennington-cross, Surrey.—Petition dated Nov. 13.

SOLOMON SOLOMON, Strand, Middlesex, tailor, Nov. 28 at half-past 1, and Dec. 31 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Finney, 6, Farnival's-inn, Holborn.—Petition filed Nov. 18.

HENRY WOLF and ISAAC LYONS, Cripplegate-buildings, London, umbrella manufacturers, Dec. 3 at 1, and Jan. 2 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Parker, 18, St. Paul's-churchyard.—Petition filed Nov. 19.

WILLIAM EVANS, Banbury, Oxfordshire, ironmonger and seedsman, Dec. 2 at 12, and Jan. 2 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Aplin, Banbury, Oxfordshire.—Petition filed Nov. 20.

EDWARD SILLS CLARKE, St. Mary Cray, Kent, baker, dealer and chapman, Dec. 2 at 1, and Jan. 6 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Hobler, 26, Bucklersbury, Mansion-house.—Petition filed Nov. 11.

THOMAS BARNJUM, Pall-mall East, and Willesden, Middlesex, wine merchant, dealer and chapman, Dec. 5 at 12, and Jan. 6 at 2, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Annesley, 64, Lincoln's-inn-fields.—Petition filed Nov. 18.

WILLIAM ROBINSON, West Lynn, Norfolk, grocer and draper, Dec. 5 at 2, and Jan. 6 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Reed & Co., 59, Friday-street, London.—Petition filed Nov. 20.

JAMES THOMAS JONES, Rathbone-place, Middlesex, Manchester warehouseman, dealer and chapman, Dec. 1 and Jan. 15 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Watson & Roscoe, Worship-st., Finsbury.—Petition filed Oct. 29.

WILLIAM KNOCK, Eton, Buckinghamshire, nurseryman, cook and confectioner, dealer and chapman, Dec. 1 at 1, and Jan. 6 at half-past 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Marten & Co., Mincing-lane.—Petition filed Nov. 20.

RICHARD STANFORD and BENJAMIN LEWIS, Wednesbury, Staffordshire, engineers and smiths, dealers and chapmen, Dec. 4 and 30 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Holland, West Bromwich; Hodgson, Birmingham.—Petition dated Nov. 20.

THOMAS AVANT, Bridport, Dorsetshire, music seller, dealer and chapman, Dec. 2 at 12, and Dec. 23 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Gundry, Bridport; Terrell, Exeter.—Petition filed Nov. 17.

MATTHEW MUMFORD, Dittisham, Devonshire, miller, Nov. 28 and Dec. 23 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Bryett, Totnes; Stogdon, Exeter.—Petition filed Oct. 31.

WILLIAM PRITCHARD, Liverpool, tea merchant and rice miller, dealer and chapman, Dec. 3 and 23 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Harvey & Falcon, Liverpool.—Petition filed Nov. 11.

JOHN STEWART RITSON, Liverpool, printer and ship owner, dealer and chapman, Dec. 2 and 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Robinson & Duke, Liverpool.—Petition filed Nov. 17.

DAVID HATFIELD LEGGOTT, Brigg, Lincolnshire, joiner and builder, dealer and chapman, Dec. 3 and 31 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Stamp, Kingston-upon-Hull.—Petition dated Nov. 14.

MEETINGS.

William Williams, William Williams the younger, and Thomas Robert Williams, Newport, Monmouthshire, bankers, Dec. 10 at 2, District Court of Bankruptcy, Bristol, pr. d.—*Alfred Lyon*, Saffron Walden, Essex, draper, Nov. 29 at 11, Court of Bankruptcy, London, aud. ac.—*Edmund Sheffield*, Crisp-street, Poplar, Middlesex, builder, Nov. 29 at 11, Court of Bankruptcy, London, aud. ac.—*Samuel Willett the elder*, Cheltenham, Gloucestershire, plumber, Dec. 19 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Gray*, Sunderland, Durham, draper, Dec. 19 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.; Dec. 23 at 12, fin. div.—*Samuel Eastwood*, Huddersfield, Yorkshire; wool-stapler, Dec. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Hodgson Lewis and James Hervey*, Halifax, Yorkshire, spirit merchants, Dec. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac. joint est., and aud. ac. sep. est. of *H. Lewis*; Dec. 12 at 11, div. sep. est. of *J. Hervey*.—*Robert Baw*, Selby, Yorkshire, grocer, Dec. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Thomas Robinson*, Ripon, Yorkshire, ironfounder, Dec. 4 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*John Robinson and Edward Moore*, Alverthorpe-with-Thornes, Wakefield, Yorkshire, spinners, Dec. 15 at 12, District Court of Bankruptcy, Leeds, aud. ac. and fin. div.—*Elihu Stead*, Kirk Burton, Yorkshire, corn dealer, Dec. 13 at 10, District Court of Bankruptcy, Sheffield, aud. ac.—*Robert Derham*, Leeds, Yorkshire, and *Walter Alan Hinde and James Derham*, Dolphinholme, Lancashire, worsted spinners, Dec. 9 at 12, District Court of Bankruptcy, Leeds, aud. ac.; Dec. 16 at 12, div.—*Matthew Jeyson*, Sheffield, Yorkshire, grocer, Dec. 13 at 10, District Court of Bankruptcy, Sheffield, aud. ac.; at 12, fin. div.—*Robert Murray*, Liverpool, woollendrapers, Dec. 2 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Green the younger*, Higher Tramere, Cheshire, brewer, Dec. 4 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Coleman*, Coventry, chemist, Dec. 16 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Dec. 17 at half-past 11, div.—*Charles Collins and George Talbot Ross*, Bowdley, and Wribbenhall, Kidderminster, Worcestershire, and Aldermanbury, London, carpet manufacturers, Dec. 3 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. sep. est. of *George Talbot Ross*.—*Frederick La Mark and George La Mark*, Water-lane, Tower-street, London, ship-brokers, Dec. 12 at 12, Court of Bankruptcy, London, div.—*Stephen Keen and William Langford*, John-street, Pentonville, Middlesex, brewers, Dec. 16 at 1, Court of Bankruptcy, London, div.—*John Parker*, Oxford, brewer, Dec. 16 at 2, Court of Bankruptcy, London, div.—*William Woodbridge*, Mincing-lane, London, colonial broker, Dec. 16 at 2, Court of Bankruptcy, London, div.—*Abraham Solomons*, Basinghall-street, London, merchant, Dec. 16 at 1, Court of Bankruptcy, London, div.—*Robert Clifton*, Brandon, Suffolk, brewer, Dec. 22 at 2, Court of Bankruptcy, London, div.—*David Phillips*, Cardiff, Glamorganshire, linendraper, Dec. 19 at 11; District Court of Bankruptcy, Bristol, div.—*Thomas Clifton and Richard Easby Rawle*, Bristol, wine merchants, Dec. 19 at half-past 12, District Court of Bankruptcy, Bristol, div.—*Robert Hazard and Frederick Robert Hazard*, Bristol, victuallers, Dec. 19 at half-past 11, District Court of Bankruptcy, Bristol, div.—*John Wallace*, Carlisle, Cumberland, grocer, Dec. 16 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, fin. div.—*Charles Beane*, Manchester, banker, Dec. 1 at 12, District Court of Bankruptcy, Manchester, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Hayhow, Ratcliffe-highway, and High-street, Shadwell, Middlesex, shoemaker, Dec. 15 at 11, Court of Bankruptcy, London.—*William Wickens Holman*, Bath, draper, Dec. 16 at 12, Court of Bankruptcy, London.—*Isaac Hayes*, St. John's-lane, Clerkenwell, Middlesex, stereotype founder, Dec. 15 at 1, Court of Bankruptcy, London.—*R. D. Mercer*, Church-pass., Spital-sq., Bishopsgate-st. Without, Middlesex, silk merchant, Dec. 12 at 11, Court of Bankruptcy, London.—

William James Pazman and Catherine Pazman, Haro-street, Bethnal-green, Middlesex, silk dyers, Dec. 13 at 1, Court of Bankruptcy, London.—*Augustus B. Granville*, Wembly, near Harrow-on-the-Hill, and Piccadilly, Middlesex, lodging-house keeper, Dec. 13 at half-past 1, Court of Bankruptcy, London.—*John Allan*, Carmarthen, tea dealer, Dec. 22 at 11, District Court of Bankruptcy, Bristol.—*Joseph Raphael*, Liverpool, jeweller, Dec. 15 at 11, District Court of Bankruptcy, Liverpool.—*Wm. Pashley and Francis Pashley*, Sheffield, Yorkshire, table-knife manufacturers, Dec. 13 at 10, District Court of Bankruptcy, Sheffield.—*Wm. Speak*, Halifax, Yorkshire, stuff manufacturer, Dec. 12 at 11, District Court of Bankruptcy, Leeds.—*J. Nicholson*, Sheffield, Yorkshire, surgeon, Dec. 13 at 10, District Court of Bankruptcy, Sheffield.

To be granted, unless an Appeal be duly entered.

Samuel Knightly, Paul-st., Finsbury, Middlesex, carpenter.—*Matthew Batten*, Kintbury, Berksbire, sheep dealer.—*Benj. Tebbis*, Ventnor, Isle of Wight, Southampton, draper.—*Wm. Wilkins*, Trowbridge, Wiltshire, woollendrapier.—*Richard Dearie*, Charles-st., Soho-sq., Middlesex, licensed victualler.—*Richard B. Colman*, Regent-st., Middlesex, court milliner.—*John Taylor*, High-street, Shadwell, and Salmon's-lane, Limehouse, Middlesex, cheesemonger.—*Samuel Berry*, Barnstable, Devonshire, grocer.—*Thomas Millward*, Gower-street, Middlesex, miller.—*Wm. Coleman*, Coventry, chemist.

PARTNERSHIPS DISSOLVED.

Edward E. Tustin and Frederick Wm. P. Barlow, Bridge-court, New Bridge-street, attorneys.—*Richard M. Benson and Henry J. Philbrick*, Aylesbury, Buckinghamshire, solicitors.

SPOTON SEQUESTRATIONS.

George Hooime, Glasgow, druggist.—*Gerehom Cumming*, Dundee, engraver.—*James Forsythe*, Udale, Cromartyshire, and Balvad, Ross-shire, farmer.—*Archibald Minto*, Carnoustie, surgeon.—*George Mitchell*, Aberdeen, painter.—*R. Gray & Sons*, Uddingston, near Glasgow, manufacturers of agricultural implements.—*David McKensie*, Glasgow, iron-monger.—*J. & W. Atkinson & Co.*, Glasgow, merchants.

DECLARATION OF INSOLVENCY.

John S. Anderson, Kingston-upon-Hull, out of business, Nov. 29 at 10, County Court of Yorkshire, at Kingston-upon-Hall.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Faircloth, East Banham, Norfolk, farmer, Dec. 3 at 10, County Court of Norfolk, at Little Walsingham.—*W. Clarke*, Newark-upon-Trent, Nottinghamshire, sail maker, Dec. 6 at 11, County Court of Nottinghamshire, at Newark.—*George Davies*, St. David's Hill, Exeter, commission agent, Dec. 6 at 10, County Court of Devonshire, at Exeter.—*Ann Fulwoldfield*, Salford, Lancashire, lath manufacturer, Dec. 3 at 1, County Court of Lancashire, at Salford.—*Wm. Seddon*, Salford, Lancashire, engine driver, Dec. 3 at 1, County Court of Lancashire, at Salford.—*John Parker*, Mouldsworth, near Turvin, Cheshire, grocer, Dec. 11 at 11, County Court of Cheshire, at Chester.—*Emanuel Fereday*, Wolverhampton, Staffordshire, out of business, Nov. 25 at 12, County Court of Staffordshire, at Wolverhampton.—*James Hawthorn*, Wolverhampton, Staffordshire, carpenter, Nov. 25 at 12, County Court of Staffordshire, at Wolverhampton.—*Joseph Bees*, Bilston, Staffordshire, overlooker at Millfield Ironworks, Nov. 25 at 12, County Court of Staffordshire, at Wolverhampton.—*Charles Twyford*, Wolverhampton, Staffordshire, china painter, Nov. 25 at 12, County Court of Staffordshire, at Wolverhampton.—*James Brazier*, Wolverhampton, Staffordshire, gun-lock maker, Nov. 25 at 12, County Court of Staffordshire, at Wolverhampton.—*William Hutson*, Bristol, plasterer, Jan. 7 at 11, County Court of Gloucestershire, at Bristol.—*Sidney Poultier Ford*, Bristol, grocer, Jan. 7 at 11, County Court of Gloucestershire, at Bristol.—*Richard Pyke*, Wraeshall, Somersetshire, shoemaker, Dec. 31 at 11, County Court of Gloucestershire, at Bristol.—*Thomas C. Smeathers*, Wellingborough, Northamptonshire, carrier, Dec. 11 at half-past 1, County Court of Northamptonshire, at Wellingborough.—*Marcus Brandt*, Salford, Lancashire, hat maker, Dec. 3 at 1, County Court of Lancashire, at Salford.—*Benj. Thomas*, Wolverhampton, Staffordshire, out of business, Nov. 25 at 12, County Court of Staffordshire, at Wolverhampton.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 5 at 11, before the CHIEF COMMISSIONER.

John Stenson Major, Grenville-sq., Pentonville, Middlesex, professor of music.—*Thomas Burn*, Levinia-terrace, Starch Green-lane, Hammersmith, Middlesex, out of business.—*G. Fox*, Portland-place, St. Mark's-road, Camberwell New-road, Surrey, bricklayer.—*George H. B. Rodwell*, Upper Ebury-street, Fimlico, Middlesex, author.—*Mary Armistead*, Albert-terrace, Notting-hill, Middlesex, lodging-house keeper.

Dec. 5 at 10, before Mr. Commissioner LAW.

Edw. Davies, Brick-lane, Bethnal-green, Middlesex, cheesemonger.—*James J. Bye*, Robert-terrace, Chelsea, Middlesex, out of business.—*John Herden* the elder, Stratford, Essex, schoolmaster.—*Richard Cooper*, York-place, Barnsbury-park, Islington, Middlesex, builder.—*Thomas W. Dawson*, Great Dover-road, Southwark, Surrey, carman.

Dec. 6 at 11, before Mr. Commissioner PHILLIPS.

Jas. Brown, Jermyn-street, Westminster, Middlesex, lodging-house keeper.—*James Daw*, Newgate-market, Newgate-street, London, meat salesman.—*Rees Griffiths* the younger, Long-lane, Bermondsey, Surrey, butcher.—*John C. Jones*, Fairmead Lodge, High Beech, Waltham, Essex, professor of music.

Dec. 8 at 10, before Mr. Commissioner LAW.

James Whilbread, Mortimer-place, Mortimer-road, Hackney, Middlesex, tailor.

Dec. 8 at 11, before Mr. Commissioner PHILLIPS.

Hugh Boyd, Red Lion-court, Fleet-st., London, engraver.—*Fred. Cannavan*, Red Lion-court, Fleet-street, London, engraver.—*George Hinde*, Harrison-street, Gray's-inn-road, Middlesex, coach painter.—*Wm. F. Wilkinson*, New Gloucester-street, Hoxton, Middlesex, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 5 at 10, before Mr. Commissioner LAW.

John Garrett, Chancery-place, Old St. Pancras-road, Middlesex, mill Sawyer.—*James Lawrie*, Gracechurch-st., Cornhill, London, brass finisher.

Dec. 6 at 11, before Mr. Commissioner PHILLIPS.

John Hulbert, Brook-street, West-square, Lambeth, Surrey, out of business.—*Henry Brooke*, Wardour-street, Oxford-st., Middlesex, picture dealer.

Dec. 8 at 10, before Mr. Commissioner LAW.

John Wm. Monk, Brick-st., Piccadilly, Middlesex, house agent.—*Thos. Keeley*, Omslow-terrace, Lorimer-road, Walworth, Surrey, out of business.—*Walter Elliot*, Bedfordbury, St. Martin's-lane, Middlesex, leather seller.

Dec. 8 at 11, before Mr. Commissioner PHILLIPS.

Adjourned Case.

G. Bristow, Clare-street, Clare-market, Middlesex, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,

Dec. 5 at 11.

Samuel Clarke, Manchester, grocer.—*Alice Winter*, Chorlton-upon-Medlock, Manchester, out of business.—*R. Jones*, Manchester, tailor.—*Jas. M. Muilely*, Hulme, out of business.—*Robert Wood*, Stables, near Rochdale, out of employment.—*H. Crookwell*, Salford, commission agent.—*John Watson*, Heaton Norris, near Manchester, out of business.—*John Butcher*, Manchester, pork butcher.—*T. Gardner*, Hulme, Manchester, out of business.—*Edw. Eyre*, Chorlton-upon-Medlock, Manchester, merchant's clerk.—*Thomas Brown*, Oldham, out of business.—*Peter McCabe*, Liverpool, lodging-house keeper.—*James Crossdale*, Rochdale, out of business.—*John Threlfall*, Little Singleton, near Poulton-le-Fylde, farmer.—*William Bates*, Ardwick, Manchester, block cutter.—*Wm. D. Lindsey*, Liverpool, out of business.—*Wm. Hobson*, Hulme, Manchester, slipper maker.—*Thos. Travis*, Oldham, manager in a cotton mill.—*R. C. Hulley*, Hulme, Manchester, doctor in medicine.—*Benj. Crompton*, Manches-

ter, out of business.—*Margaret Cochrane*, Kirkdale, near Liverpool, out of business.—*Wm. Farrar*, Liverpool, ship broker.—*John Crampton*, Salford, butcher.—*James Eaton*, Liverpool, commission agent.—*W. Holland*, Heaton Norris, out of business.

At the County Court of Durham, at DURHAM, Dec. 5.
Thos. Pattison, Bishopwearmouth, gardener.—*J. Brown*, South Shields, blacksmith.—*Thos. Thompson*, South Shields, carrier.—*Thos. Grant*, Sunderland, out of business.

At the County Court of Berkshire, at READING, Dec. 8.
Henry Strallon, Newbury, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Edw. Jeffries, Upper North-place, Gray's-inn, Middlesex, superannuated clerk, Chelsea Hospital: 2s. 1d. in the pound.
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—*A. Davies*, Star-street, Edgeware-road, Middlesex, harness maker: 4s. 7d. in the pound.—*Daniel Jones*, Pillgwenly, near Newport, Monmouthshire, haulier: 2s. 1½d. in the pound.—*Henry Widdicombe*, Great Ormond-street, Queen-square, Middlesex, comedian: 1s. 0½d. in the pound.—*Fred. Wm. L. Stockdale*, Manor-place, Walworth, Surrey, author: 3s. 10d. in the pound.

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MEETING.

Fred. Teesdale, Bourn, Lincolnshire, cattle dealer, Dec. 6 at 12, Edmonds & Jones's, Eldon-chambers, Devereux-court, Temple, sp. aff.

NORTHERN CIRCUIT.—Days and places appointed for holding the Special Commissions of Oyer and Terminer and Gaol Delivery for the undermentioned places:—

Before Mr. Justice MAULE and Mr. Baron PLATT.
County of York, Saturday, the 13th day of December, 1851, at the Castle of York.
City of York, the same day, at the Guildhall of the same city.

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The Hon. JOHN CHETWYND TALBOT, Q. C., the Chairman of the Company, in the Chair,

A Report was read, from which it appeared—

That the Income of the Company for the year ending June 30, 1851, was £140,338 1 0
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The Expenses 5,686 5 0
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The Report entered into further details, and finished by stating that the Directors felt it unnecessary to dwell further upon the items of the year's account, as the quinquennial valuation to be made in June next was so near.

The Report was unanimously adopted, and some routine business having been disposed of, the thanks of the meeting were very cordially voted to the Chairman, Directors, and officers of the Company, when the meeting separated.

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3, Crescent, New Bridge-street, Blackfriars, September, 1851.

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The Jurist

No. 777—Vol. XV. NOVEMBER 29, 1851.

PRICE 1s.

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LONDON, NOVEMBER 29, 1851.

THE offence of conspiracy is the most comprehensive, and at the same time the most uncertain, of all offences known to the law; other crimes have, in general, clearly defined land-marks, but this appears to be almost without "mete" or "bound," and is the only offence in which a bare agreement, without any overt act, is rendered cognisable by our criminal tribunals. The uncertainty attending it renders it a favourite proceeding with those who desire to drive a person to a compromise, or to deter him from putting the law in motion against them, and in such cases a second person is sought after with whom the "given" defendant may be connected, and recourse is had to an indictment against them for a conspiracy to do anything the opponents may suggest, in the expectation that the vagueness of the charge, and of the evidence required to support it, will, at all events, have the desired effect, if it does not end in a conviction.

Conspiracy is defined as an agreement between two or more to do an unlawful act, or a lawful act by unlawful means. But the question immediately arises, in what sense is the word "unlawful" used? Does it point not only to indictable offences in themselves, but also to such as are punishable in a summary manner, and even to merely actionable conduct? Again: does an agreement among several, to do that which one man may lawfully do, become the subject of an indictment for a conspiracy, or, in other words, become unlawful simply by the fact of combination?

No offence has shifted its ground more than that of conspiracy, which was originally confined to an agreement falsely to accuse another of a crime, as was said by Lord Ellenborough in *Rex v. Turner*, (13 East, 228; and see 3 Inst. 143), where his Lordship added, "*All*

the cases in conspiracy proceed upon the ground that the object of the combination is to be effected by some falsity*." It may, however, now be taken to be clear, that an agreement not only to commit an indictable offence, but one punishable by summary conviction, amounts to an indictable conspiracy. The case of *Reg. v. Rowlands and Others*, decided on Monday last in the Court of Queen's Bench, was an indictment for conspiring to commit the several acts prohibited by the statute relating to the combination of workmen, (6 Geo. 4, c. 129), which, if actually committed by individuals, are punishable only by three months' imprisonment; and the Court not only held the indictment to lie at common law, but that the incidents of fine and imprisonment, as the penalty of a misdemeanour, would attach, though far exceeding the punishment of three months' imprisonment. An agreement, therefore, to commit such an act may be punished more severely than if it be actually committed by one. In that case, also, Lord Campbell, C. J., denied *Turner's case* (supra) to be law, in which it was held that an indictment would not lie for conspiring to commit a civil trespass upon property by agreeing to go, and by going, into a preserve for hares, the property of another, for the purpose of snaring them, though it was alleged to be done in the night time, and that the defendants were armed with offensive weapons for the purpose of opposing resistance to any endeavours to apprehend or obstruct them. Lord Ellenborough, C. J., in pronouncing the judgment of the Court in that case, said, "I should be sorry that the cases in conspiracy against individuals, which have gone far enough, should be pushed still farther. I should be sorry to have it doubted whether persons agreeing to go and sport upon another's ground

* A quere is appended to this general proposition in 2 Russ. Cr., by Greaves, 687, note (A).

—in other words, to commit a *civil trespass*—should be thereby in peril of an indictment for an offence which would subject them to infamous punishment."

There is also the case of *Res v. Pywell and Others*, (1 Stark. 402), in which the same learned judge expressed an opinion (at Nisi Prius) that a conspiracy to cheat and defraud a man, by selling him an unsound horse, was not indictable, but merely actionable as a breach of warranty. It appears, however, from his Lordship's language, that there was not sufficient evidence of *concert* in that case to support the charge; and the dictum on the other ground is shaken, if not overruled, by *Reg. v. Kenrick*, (5 Q. B. 49)*.

Although it is said that *concert is not crime*†, yet undoubtedly there are decisions to the effect that several may be indicted for agreeing to do that which, if one did, would not even be actionable. Thus, one man may properly express his disapprobation at a theatre by hissing, but where several combine to do so, they may be indicted for conspiracy. (*Clifford v. Brandon*, 2 Camp. 369; *Macklin's case*, cited in Dickenson's Guide; *Anon.*, B. R., 18 or 19 Geo. 2, coram Lord Mansfield, 2 Russ. 677; *Gregory v. The Duke of Brunswick*, 1 Car. & K. 286; 6 Man. & G. 953; and see also the argument in *Mawbey's case*, 6 T. R. 619).

We think that upon principle, and from the current of authorities, it may be stated that an agreement to commit any act opposed to public policy or public morality is indictable as a conspiracy, although such act, committed by an individual, would not come within the cognisance of the law. This accounts for the various and conflicting decisions upon the subject, the definition having changed with the changes in opinion as to what is public policy. This has occurred particularly with regard to combinations of workmen, it having been held that they had no right to combine whatever; while now statute law and judge-made law permit combinations among workmen, which are placed upon the same footing as those among other classes. It may be, that although *concert* is not, *per se*, a crime, yet, by referring the object of the conspiracy to considerations of public policy, it becomes one. Thus, in the instance before referred to, if a spectator at a theatre, moved by feelings of disapprobation, thinks proper to express them by hissing, it is not probable that any injury will result from his conduct; the rest of the audience will probably also express their feelings by a similar demonstration, or by applause; but if several or many combine to hiss a performer, this is likely, by a premeditated scheme, to overcome the expressed opinion of the other spectators, moved alone by the impulse of the moment; it is also an injustice towards the performer, as it is an arrangement to disapprove of him, whatever his performance may be; and it certainly tends to a breach of the peace.

Upon a consideration of the law relating to this subject, we think that the proper test to discover whether a conspiracy is indictable is to consider whether it would fall under the description of an illegal contract,

which could not be enforced by action, as being in violation of a statute, in contravention of public policy or morality, or the like.

A question almost the converse of the one we have been considering has been raised during the present week in the Common Pleas, viz. whether an action will lie for a conspiracy. The case went off upon another point; it had, however, been previously decided that the action would not lie, unless the conspiracy was put in execution; (9 Co. 57; W. Jones, 93; *Savile v. Roberts*, 1 Ld. Raym. 378); but if one man alone be guilty of an offence, which if practised by two would be the subject of an indictment for a conspiracy, he is civilly liable in an action for reparation of damages at the suit of the person injured. (See per Buller, J., in *Pasley v. Freeman*, 3 T. R. 58).

The decision in *Reg. v. Rowlands and Others*, to which we have referred, may be briefly stated to be, that it is sufficient, in an indictment for conspiring to commit an offence prohibited by statute, to use the words of the statute, although they may be words of general description. Thus, a count stating that certain workmen were in the employment of the prosecutors, and charging the defendants with conspiring, by *instigating* the prosecutors, to force their workmen to depart, following the words of the 6 Geo. 4, c. 129, was held to be sufficiently certain, on motion in arrest of judgment, although it was objected, that the manner in which the molestation was to be effected ought to have been stated.

GENTLEMEN CALLED TO THE BAR.

The following Gentlemen have been called to the degree of Barrister at Law:—

LINCOLN'S INN.—John Dent Dent, Esq., M.A.; Arthur Sperling, Esq., LL.B.; John Stewart Cumming, Esq.; Henry Charles Greenwood, Esq.; Joshua Blackburn, Esq.; Christopher Stuart Hawkins, Esq.; Charles Halbrow Stanton, Esq., M.A.; Thomas Collett Sandars, Esq., M.A.; Oliver Claude Pell, Esq., M.A.; William Hackett, Esq., B.A.; Edward Frederick Smyth Pigott, Esq., M.A.; William Wilkie Collins, Esq.; Charles Pole Stuart, Esq., B.A.; Mark Dewsnap, jun., Esq., B.A.; William Park Dickins, Esq., M.A.; Stephen Soames, Esq., M.A.; Charles Thomas Calvert, Esq., M.A.; Horace Townsend, Esq., B.A.; Philip Williams, Esq.; Edward Samuel Dale, Esq.

INNER TEMPLE, Nov. 21.—Augustus Phillips, Esq.; William Sharp Cross, Esq.; Richard Bright, Esq.; John Hampden Fordham, Esq.; William Sharp Joyce, Esq.; Henry Thomas Wroth, Esq.; Thomas Potter, Esq.; David Featherby Thornbury, Esq.; Robert Henry Lukin, Esq.; Spencer Vincent, Esq.; Alexander Staveley Hill, Esq.; George Ward Hunt, Esq.; George Taylor, Esq.; Hugh Thurstain Hulton, Esq.; Thomas Cragg Rawthorne, Esq.; Morris John Davies, Esq.; Henry Jeffreys Bushby, Esq.; Pedro D'Alcantara Trevassez Valdez, Esq.; William Holl Haworth, Esq.

MIDDLE TEMPLE.—Charles Pridham, Esq., B.A., Lincoln Coll., Oxford; Woodthorpe Brandon, Esq.; James Berridge Smith, Esq.; James Motteram, Esq.; William Henfrey, Esq.; William Francis Philip Finlason, Esq.; Charles Hardaway Hitchings, Esq.; Michael Denney, Esq.; Josiah Rees, Esq.; Alfred Wills, Esq., B.A., Univ. of London; Thomas Henry Whitaker, Esq., B.A., Exeter Coll., Oxford; James Francis Hollings, Esq.

GRAY'S INN, Nov. 5.—William Vosper, Esq.; Joseph Taylor, Esq.

* In *Reg. v. Rowlands*, (supra), Erie, J., seemed to be of opinion that *Res v. Pywell* was overruled by *Reg. v. Kenrick*.

† Dickenson's Guide to the Quarter Sessions, by Serjeant Talfourd, p. 335, 5th ed. See, however, 2 Russ. Cr. 674.

Court Papers.**EQUITY SITTINGS, AFTER MICHAELMAS TERM, 1851.****Court of Chancery.***Before the LORD CHANCELLOR, at Lincoln's Inn.*

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| Friday | 12 | (Petition-day).—Appeal Petitions. |
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| Tuesday | 16 | |
| Wednesday | 17 | Appeals. |
| Thursday | 18 | |
| Friday | 19 | Fourth Seal.—Appeal Motions. |
| Saturday | 20 | (Petition-day).—Appeal Petitions and Appeal Motions. |

Before the LORDS JUSTICES, at Lincoln's Inn.

| | | |
|-----------------|--------|---------------------------------------------------------------|
| Monday | Dec. 1 | First Seal.—Appeal Motions and Appeals. |
| Tuesday | 2 | |
| Wednesday | 3 | Lunatic and Bankrupt Petitions (unopposed first) and Appeals. |
| Thursday | 4 | |
| Friday | 5 | Appeal Petitions and Appeals. |
| Saturday | 6 | |
| Monday | 8 | Second Seal.—Appeal Motions and Appeals. |
| Tuesday | 9 | |
| Wednesday | 10 | Lunatic and Bankrupt Petitions (unopposed first) and Appeals. |
| Thursday | 11 | |
| Friday | 12 | Appeal Petitions and Appeals. |
| Saturday | 13 | |
| Monday | 15 | Third Seal.—Appeal Motions and Appeals. |
| Tuesday | 16 | |
| Wednesday | 17 | Lunatic and Bankrupt Petitions (unopposed first) and Appeals. |
| Thursday | 18 | |
| Friday | 19 | Fourth Seal.—Appeal Motions and Appeals. |
| Saturday | 20 | |
| Monday | 22 | Appeal Petitions and Appeal Motions. |

N. B.—Such days (if any) as the Lords Justices shall be engaged at the Judicial Committee excepted.

Rolls Court.*Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.*

| | | |
|-----------------|--------|-----------------------------------------------------------------------|
| Monday | Dec. 1 | Motions. |
| Tuesday | 2 | |
| Wednesday | 3 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Thursday | 4 | |
| Friday | 5 | |
| Saturday | 6 | Claims only. |
| Monday | 8 | Motions. |
| Tuesday | 9 | |
| Wednesday | 10 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Thursday | 11 | |
| Friday | 12 | |
| Saturday | 13 | Claims only. |
| Monday | 15 | Motions. |
| Tuesday | 16 | |
| Wednesday | 17 | Pleas, Demurrers, Causes, Claims, Further Directions, and Exceptions. |
| Thursday | 18 | |
| Friday | 19 | Motions. |
| Saturday | 20 | Petitions in General Paper. |

Short Causes, Consent Causes, Unopposed Petitions, and

Short Claims, on Saturday the 6th and Saturday the 13th December, at the sitting of the Court.

Notice.—Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

Vice-Chancellors' Courts.*Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.*

| | | |
|-----------------|--------|------------------------------------------------------------------------------------------|
| Monday | Dec. 1 | First Seal.—Motions and Causes. |
| Tuesday | 2 | |
| Wednesday | 3 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 4 | |
| Friday | 5 | Unopposed Petitions, Short Causes, Short Claims, and Claims. |
| Saturday | 6 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Monday | 8 | Second Seal.—Motions and Ditto. |
| Tuesday | 9 | |
| Wednesday | 10 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 11 | |
| Friday | 12 | Unopposed Petitions, Short Causes, Short Claims, and Claims. |
| Saturday | 13 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Monday | 15 | Third Seal.—Motions and Ditto. |
| Tuesday | 16 | |
| Wednesday | 17 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 18 | |
| Friday | 19 | Fourth Seal.—Motions and Ditto. |
| Saturday | 20 | (Petition-day).—Petitions, (unopposed first), Short Causes, Short Claims, and Petitions. |

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

| | | |
|-----------------|--------|---------------------------------------------------------------------------------|
| Monday | Dec. 1 | First Seal.—Motions and Causes. |
| Tuesday | 2 | |
| Wednesday | 3 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 4 | |
| Friday | 5 | (Petition-day).—Cause Petitions (unopposed first). |
| Saturday | 6 | Short Causes, Short Claims, & Claims. |
| Monday | 8 | Second Seal.—Motions and Causes. |
| Tuesday | 9 | |
| Wednesday | 10 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 11 | |
| Friday | 12 | (Petition-day).—Cause Petitions (unopposed first). |
| Saturday | 13 | Short Causes, Short Claims, & Claims. |
| Monday | 15 | Third Seal.—Motions and Causes. |
| Tuesday | 16 | |
| Wednesday | 17 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Thursday | 18 | |
| Friday | 19 | Fourth Seal.—Motions and Ditto. |
| Saturday | 20 | (Petition-day).—Short Causes, Short Claims, Unopposed Petitions, and Petitions. |

N. B.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.

| | | |
|-----------------|--------|-----------------------------------------------------------------------|
| Monday | Dec. 1 | First Seal.—Motions and Causes. |
| Tuesday | 2 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Wednesday | 3 | Short Causes, Short Claims, & Claims. |
| Thursday | 4 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Friday | 5 | |
| Saturday | 6 | Cause Petitions (unopposed first). |
| Monday | 8 | Second Seal.—Motions and Causes. |
| Tuesday | 9 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Wednesday | 10 | Short Causes, Short Claims, & Claims. |
| Thursday | 11 | Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Friday | 12 | |
| Saturday | 13 | Cause Petitions (unopposed first). |
| Monday | 15 | Third Seal.—Motions and Causes. |

| | | |
|----------------|----|-------------------------------------------------------------------------|
| Tuesday..... | 16 | { Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Wednesday..... | 17 | { Short Causes, Short Claims, & Claims. |
| Thursday..... | 18 | { Pleas, Demurrers, Exceptions, Claims, Causes, and Further Directions. |
| Friday..... | 19 | { Fourth Seal.—Motions and Ditto. |
| Saturday..... | 20 | { (Petition-day).—Petitions (unopposed first). |

COURT OF COMMON PLEAS.

MICHAELMAS TERM.—15 VICTORIA.—Nov. 24, 1851.

This Court will, on Friday the 5th day of December next, hold a sitting, and will proceed to give judgment in certain of the matters that will then be standing over for the consideration of the Court.

JOHN JERVIS.

London Gazettes.

TUESDAY, NOVEMBER 25.

BANKRUPTS.

HENRY PINHORN and **ROBERT PINHORN**, Southampton, tailors, drapers, dealers and chapmen, (trading under the style or firm of Henry Pinhorn), Dec. 5 at 12, and Jan. 6 at 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Sturmy & Co., 14, Philpot-lane, Fenchurch-st.—Petition filed Nov. 18.

JAMES SPALDING, Cambridge, ironmonger, Dec. 5 and Jan. 2 at half past 1, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Taylor, Cambridge; Paxton, Bloomsbury-sq., London.—Petition filed Nov. 19.

RICHARD GEORGE RUDEL, Devonshire-street, Queen-square, Bloomsbury, Middlesex, merchant, Dec. 9 at 11, and Jan. 15 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Bush & Mullens, 7, St. Mildred's-court, Postrtry.—Petition filed Nov. 15.

HENRY ADAMS, Hastings, Sussex, hardwareman, dealer and chapman, Dec. 5 and Jan. 10 at 12, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Goddard, 28, King-st., Cheapside.—Petition dated Nov. 22.

JOSIAH JOSEPH HATCH, Friday-st., London, wholesale furrier, dealer and chapman, Dec. 5 at 1, and Jan. 13 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Lawrence & Co., 14, Old Jewry-chambers, Old Jewry.—Petition filed Nov. 25.

FRANCIS EIDSFORTH RIGBY the elder and **FRANCIS EIDSFORTH RIGBY** the younger, Birkenhead, Cheshire, plumbers, painters, and glaziers, (trading as such at Birkenhead under the firm of Francis Eidsforth Rigby & Son), Dec. 8 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Atherton, Liverpool.—Petition filed Nov. 21.

ROBERT ALLEN, Falmouth, brewer, late of Traro, Cornwall, wine, spirit, ale, and porter merchant, dealer and chapman, Dec. 4 at 1, and Jan. 6 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Bishop & Pitts, Exeter; Tamplin, 159, Fenchurch-street, London.—Petition filed Nov. 18.

ALEXANDER CANSH, Liverpool, provision dealer, commission agent, dealer and chapman, Dec. 4 and 26 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Bremner, Liverpool.—Petition filed Nov. 21.

MEETINGS.

Edward Pepper, Threadneedle-street, London, licensed victualler, Dec. 8 at 12, Court of Bankruptcy, London, last ex.—**Edw. Jones**, Church-st., Blackfriars-road, Surrey, currier, Dec. 22 at 11, Court of Bankruptcy, London, aud. ac.—**John W. Edmonds**, High-st., Poplar, Middlesex, victualler, Dec. 5 at 11, Court of Bankruptcy, London, aud. ac.—**David John Wyatt** and **Eliza Underwood**, Bristol, hat manufacturers, Dec. 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—**George Hardon**, Preston, Lancashire, joiner, Dec. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 18 at 12, div.—**William Price**, Preston, Lancashire, innkeeper,

Dec. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Dec. 18 at 12, div.—**P. Rufford**, **F. Rufford**, and **C. J. Wragge**, Stourbridge, Worcestershire, bankers, Dec. 20 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—**Edw. Benton**, Tottenham-court-road, Middlesex, pawnbroker, Dec. 17 at half-past 11, Court of Bankruptcy, London, div.—**Robert Pettigrew** the younger, Woolwich, Kent, tailor, Dec. 17 at half-past 11, Court of Bankruptcy, London, div.—**Edward Clay**, Eastry, near Sandwich, Kent, linendraper, Dec. 17 at half-past 11, Court of Bankruptcy, London, div.—**Robert M. Dowall**, Worthing, Sussex, draper, Dec. 18 at half-past 10, Court of Bankruptcy, London, div.—**W. Taylor** and **James Wylde**, Wood-street, London, and Lock's-fields, Walworth, Surrey, stock manufacturers, Dec. 19 at half-past 1, Court of Bankruptcy, London, div.—**Edward Wolsey**, Wexham, Norfolk, corn merchant, Dec. 19 at 11, Court of Bankruptcy, London, div.—**Thos. L. Clayton**, Pottersgrove, near Woburn, Bedfordshire, milkman, Dec. 17 at 11, Court of Bankruptcy, London, div.—**Wm. Piggott**, Great Eversden, Cambridgeshire, general-shop keeper, Dec. 16 at 1, Court of Bankruptcy, London, div.—**John Wallers**, Great Rider-street, St. James's, Middlesex, licensed victualler, Dec. 16 at half-past 12, Court of Bankruptcy, London, div.—**Alfred Hinton**, Portsmouth, Southampton, stationer, Dec. 16 at 12, Court of Bankruptcy, London, div.—**Wm. H. Oram** and **Wm. Heard**, Noble-street, London, traders, Dec. 16 at 1, Court of Bankruptcy, London, div.—**John Boyd** and **James Boyd**, Wellington Chambers, Southwark, Surrey, hop merchants, Dec. 18 at 12, Court of Bankruptcy, London, div.—**Edw. U. Spashett**, Barking, Essex, mast maker, Dec. 22 at half-past 1, Court of Bankruptcy, London, div.—**J. H. Hunt**, Silver-street, London, warehouseman, Dec. 16 at 12, Court of Bankruptcy, London, div.—**John Hill**, Prospect-place, Holloway, Middlesex, builder, Dec. 18 at 11, Court of Bankruptcy, London, div.—**Owen Kelly**, Cannon-street, and Dowgate-dock, Upper Thames-street, London, coal merchant, Dec. 18 at 12, Court of Bankruptcy, London, div.—**Thomas Evans**, Fen Ditton, Cambridgeshire, innkeeper, Dec. 23 at 2, Court of Bankruptcy, London, div.—**Robert Storr**, Corby, Lincolnshire, grocer, Dec. 19 at 12, District Court of Bankruptcy, Nottingham, aud. ac. and div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Henry Beal, Shoe-lane, Fleet-street, London, bookseller, Dec. 19 at half-past 1, Court of Bankruptcy, London.—**John Paul**, Oxford-street, Middlesex, milliner, Dec. 19 at half-past 12, Court of Bankruptcy, London.—**John Barker**, Esmouth-street, and Pleasant-row, Clerkenwell, Middlesex, cheesemonger, Dec. 18 at 12, Court of Bankruptcy, London.—**Jos. Woodhams**, Tunbridge, Kent, grocer, Dec. 17 at 1, Court of Bankruptcy, London.—**John M. Wood**, Barbican, London, victualler, Dec. 17 at 12, Court of Bankruptcy, London.—**Wm. Strange** the elder, Navarino-grove, Dalton, Middlesex, bookseller, Dec. 17 at half-past 12, Court of Bankruptcy, London.—**Edward Jones**, Church-street, Blackfriars-road, Surrey, currier, Dec. 22 at 11, Court of Bankruptcy, London.—**John Nicol**, Kingston-upon-Hull, commission agent, Jan. 7 at 12, District Court of Bankruptcy, Kingston-upon-Hull.—**Hugh Matheson**, Liverpool, merchant, Dec. 16 at 11, District Court of Bankruptcy, Liverpool.—**J. Wakefield**, Liverpool, tea dealer, Dec. 17 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Antonino Giuseppe Gaudiano, Great St. Helen's, London, merchant.—**Edward Upton Spashett**, Barking, Essex, mast maker.—**James Henry Lemere**, Maldon, Essex, draper.—**B. Daw**, Lamborn-mills, near Tavistock, Devonshire, miller.

SCOTCH SEQUESTRATIONS.

George Phimister, Elgin, merchant.—**E. Anderson & Co.**, Glasgow, grain merchants.—**D. & W. Miller**, Musselburgh, seed crushers.—**William Hutton**, deceased, Hill of Pitheavlis, near Perth, engineer.—**Fraser & Robertson**, Glasgow, grocers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Booty Markham, Ipswich, Suffolk, baker, Dec. 5 at 10, County Court of Suffolk, at Ipswich.—**John Shingfield**,

Dullingham, Cambridgeshire, out of business, Dec. 12 at 11, County Court of Cambridgeshire, at Newmarket.—*Sidney Swale*, Halifax, Yorkshire, tailor, Dec. 10 at 10, County Court of Yorkshire, at Halifax.—*Philip Vallance Suter*, Weymouth and Melcombe Regis, Dorsetshire, merchant's clerk, Dec. 11 at 12, County Court of Dorsetshire, at Weymouth.—*John Inger*, Nottingham, dealer in tobacco, Dec. 8 at 9, County Court of Nottinghamshire, at Nottingham.—*Samuel Vickers* the elder, Mansfield, Nottinghamshire, white-smith, Dec. 3 at 10, County Court of Nottinghamshire, at Mansfield.—*Harriet Wilkinson*, Nottingham, dealer in pianofortes, Dec. 8 at 9, County Court of Nottinghamshire, at Nottingham.—*Marriott Morley*, Ratcliffe-upon-Trent, Nottinghamshire, baker, Dec. 9 at 10, County Court of Nottinghamshire, at Bingham.—*Charlotte Staples*, Southampton, milliner, Dec. 8 at 10, County Court of Hampshire, at Southampton.—*Francis Wellman*, Bitterne, South Stoneham and Lakeland Kingston, Portsea, Hampshire, pianoforte seller, Dec. 8 at 10, County Court of Hampshire, at Southampton.—*John Edwards*, Cardiff, Glamorganshire, grocer, Dec. 12 at 10, County Court of Glamorganshire, at Cardiff.—*Morgan Rees*, Trebanog, Llantrissaint, Glamorganshire, collier, Dec. 12 at 10, County Court of Glamorganshire, at Cardiff.—*Isaac Thomas*, Cardiff, Glamorganshire, beer-house keeper, Dec. 25 at 10, County Court of Glamorganshire, at Cardiff.—*David Black*, Cardiff, Glamorganshire, ship-smith, Dec. 12 at 10, County Court of Glamorganshire, at Cardiff.—*Henry Place*, Cardiff, Glamorganshire, shoemaker, Dec. 12 at 10, County Court of Glamorganshire, at Cardiff.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 8 at 10, before Mr. Commissioner LAW.

Adjourned Case.

Thomas Damsie, Pullen's-row, Islington-green, Middlesex, out of business.

Dec. 10 at 11, before the CHIEF COMMISSIONER.

David White, Caroline-place, Barnabury, Islington, Middlesex, grocer.—*Jonathan Alexander*, Nottingham-place, Ashley-crescent, City-road, Middlesex, clicker to a ladies' boot and shoe manufacturer.—*John Shotton*, Gravel-lane, Southwark, Surrey, tile cutter.

Saturday, Nov. 22.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Bavinton, Bradford, Yorkshire, bobbin twiner, No. 74,133 C.; *Joseph Scholefield*, assignee.—*Wm. Henry Hellawell*, Aspley Mills, Huddersfield, Yorkshire, woollen manufacturer, No. 74,216 C.; *Abraham Eastwood* and *John Robinson Machan*, assignees.—*Morgan Morgan*, Rhudorth, Llangathen, Carmarthenshire, labourer, No. 74,286 C.; *F. Green*, assignee.

Saturday, Nov. 22.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Anthony Bernhard Von Rathen, New-road, St. Marylebone, Middlesex, engineer: in the Queen's Prison.—*William Money*, Myddleton-square, Clerkenwell, Middlesex, out of employ: in the Debtors Prison for London and Middlesex.—*Wm. Brown Tribe*, Merron-st., Walworth-road, Newington, Surrey, out of employ: in the Debtors Prison for London and Middlesex.—*Joachim Hayward Stocqueler*, Saint Alban's-place, St. James's, Middlesex, author: in the Queen's Prison.—*Richd. Reily* the younger, Seymour-place West, Brompton, Middlesex, auctioneer: in the Debtors Prison for London and Middlesex.—*John Walker Ellis*, Arbour-terrace, Commercial-road East, Middlesex, woollen warehouseman: in the Debtors Prison for London and Middlesex.—*William Giles*, Cheltenham, Gloucestershire, baker: in the Gaol of Horse-monger-lane.—*Samuel Augustus Hayes*, Ivy-cottage, Lewisham-road, Deptford, Kent, clerk in the Surveyor's Department of the Admiralty, Somerset House: in the Queen's

Prison.—*James Talbot Davey*, Alfred-road, Westbourne-green, Paddington, Middlesex, butcher: in the Debtors Prison for London and Middlesex.—*Andrew Murray*, Holly Mount, Hampstead, Middlesex, clerk to one of the Taxing Masters of the Court of Chancery: in the Queen's Prison.—*Robt. Broad*, Swan-st., Dover-road, Surrey, commission traveller: in the Gaol of Horse-monger-lane.—*Joseph Tapsen*, Palace-street, Pimlico, Middlesex, licensed victualler: in the Debtors Prison for London and Middlesex.

(On Creditor's Petition).

Joseph Copeland Bell, South-square, Gray's-inn, Middlesex, attorney-at-law: in the Queen's Prison.

(On their own Petitions).

Benjamin Crompton, Manchester, chemist: in the Gaol of Lancaster.—*Abel Andrew*, Liverpool, broker: in the Gaol of Lancaster.—*Thomas Lord*, Pendleton, Salford, Lancashire, beer seller: in the Gaol of Lancaster.—*Robert Churchman Hulley*, Hulme, Manchester, doctor of medicine: in the Gaol of Lancaster.—*Henry Stratton*, Newbury, Berkshire, builder: in the Gaol of Reading.—*Richard Feirbairns*, Edgbaston, Warwickshire, auctioneer: in the Gaol of Coventry.—*Wm. Whitehead*, Holme, upon Spalding Moor, near Market Weighton, Yorkshire, licensed victualler: in the Gaol of York.—*Thomas Taylor*, Manchester, beer seller: in the Gaol of Lancaster.—*Edward Holder*, Kenn, Somersetshire, retailer of beer: in the Gaol of Bristol.—*Chas. Hen. Woodley*, Exeter, Devonshire, in no occupation: in the Gaol of Exeter.—*Charles Barker*, York, currier: in the Gaol of York.—*Samuel Brooke*, Pudsey, near Leeds, Yorkshire, cotton warp dyer: in the Gaol of York.—*Wm. Hinchcliffe*, Barnsley, Yorkshire, publican: in the Gaol of York.—*Geo. Mintoft*, Castlegate, Yorkshire, publican: in the Gaol of York.—*S. Pearson*, Sheffield, Yorkshire, razor manufacturer: in the Gaol of York.—*George Smith*, Cambridge, shoemaker: in the Gaol of Cambridge.—*George Thornabory*, Ripon, Yorkshire, linendraper: in the Gaol of York.—*Ryce Davies*, Bristol, agent to a brewer: in the Gaol of York.—*James Tanner*, Chalgrove, Oxfordshire, out of business: in the Gaol of Oxford.—*Thomas Bosley*, Salford, Manchester, brewer: in the Gaol of Manchester.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 9 at 11, before the CHIEF COMMISSIONER.

Adjourned Case.

Joseph Kilsby, Bell-row, Somers-town, Middlesex, shopman to a leather dealer.

Dec. 10 at 11, before Mr. Commissioner PHILLIPS.

George Lea, Wellington-st., Victoria-park, Bethnal-green, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cardiganshire, at CARDIGAN, Dec. 10 at 10.

John Scott, Dyffryn Castell, Llanbadarnfawr, coachman.

At the County Court of Worcestershire, at WORCESTER, Dec. 10.

James Turner, Whistones, Claines, travelling tea dealer.—*Richard Gibbs*, South Littleton, out of business.

At the County Court of Somersetshire, at TAUNTON, Dec. 11 at 12.

Robert Cook Saunders, Wembdon-cottage, near Bridgewater, artist.—*Thomas Edwards*, Watchett, manager of an ironfoundry.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Dec. 12 at 10.

Thomas Morris, East Dereham, out of business.

At the County Court of Cambridgeshire, at CAMBRIDGE, Dec. 15 at 10.

Joseph Bull Emery, Peterborough, Northamptonshire, out of business.—*Joseph Pledger*, Cambridge, brewer.

FRIDAY, NOVEMBER 28.

BANKRUPTS.

WILLIAM MILLER, Hawley-place, Kentish-town, Middlesex, baker, dealer and chapman, Dec. 3 at half-past 11, and Jan. 6 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Wilkinson & Co., 2, Nicholas-lane, Lombard-street.—Petition filed Nov. 17.

ROBERT MILLER FORBES, Great St. Helen's, London, provision merchant, Dec. 11 and Jan. 13 at 1, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Bower, 6, Tokenhouse-yard, Lothbury.—Petition filed Nov. 18.

JAMES COLQUHOUN, Parson's-hill, Woolwich, Kent, money scrivener, dealer and chapman, Dec. 12 at 12, and Jan. 30 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Ivimey, 44, Chancery-lane.—Petition dated Nov. 25.

JOHN JAMES KING BOOTE, Brunton's Wharf, Commercial-road, Middlesex, manufacturing chemist, dealer and chapman, (heretofore in copartnership with Thomas Gilbert Fuller), Dec. 6 at 2, and Jan. 16 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Teague, 5, Crown-court, Cheapside.—Petition dated Nov. 26.

JOHN WATSON DAWSON and THOMAS EDWARD WILLIAMS, Crescent-place, New Bridge-st., Blackfriars, London, wine and spirit merchants, dealers and chapmen, Dec. 9 at 1, and Jan. 8 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Scott & Tahourdin, 25, Lincoln's-inn-fields; W. W. & R. Wren, 32, Fenchurch-street, London.—Petition filed Nov. 19.

WILLIAM YOUNG, Newport, Monmouthshire, victualler, dealer and chapman, Dec. 16 and Jan. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sol. Hassell, Bristol.—Petition filed Nov. 25.

DAVID GRIFFITHS, Marthyr Tydvil, Glamorganshire, druggist, dealer and chapman, Dec. 15 and Jan. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sols. Brittan & Sons, Bristol.—Petition filed Nov. 13.

DAVID SHAW and JOSHUA SHAW, Royd Edge, Meeham, Almondbury, Yorkshire, manufacturers, Dec. 19 and Jan. 8 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Haigh, Huddersfield; Courtenay & Compton, Leeds.—Petition dated and filed Nov. 21.

WILLIAM DAVISON, Newcastle-upon-Tyne, spirit merchant, Dec. 9 and Jan. 8 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. Forster, Newcastle-upon-Tyne; Bolding & Pope, 35, Fenchurch-street, London.—Petition filed Nov. 22.

WILLIAM SHAW, North Hall, Leeds, Yorkshire, millwright, brass and iron founder, (carrying on business at St. Andrew's Foundry, Kirkstall-road, Leeds), Dec. 12 and Jan. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Ferns & Rooke, Leeds.—Petition dated and filed Nov. 19.

JAMES SYKES and THOMAS SYKES, Severhills Mills, Soyian, Halifax, Yorkshire, woollen manufacturers, (trading under the firm of J. & T. Sykes), Dec. 12 and Jan. 8 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Holroyde & Co., Halifax; Bond & Barwick, Leeds.—Petition dated and filed Nov. 21.

LABAN LONGLEY the elder, BENJAMIN LONGLEY, LABAN LONGLEY the younger, and JOSEPH LONGLEY, Almondbury, near Huddersfield, Yorkshire, woollen manufacturers, dealers and chapmen, (trading under the firm of Messrs. Laban Longley & Sons), Dec. 11 and Jan. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Mitchell, Halifax; Hunt, Rochdale; Bond & Barwick, Leeds.—Petition dated and filed Nov. 20.

JOHN CUMMINS, Bradford, Yorkshire, linendraper, Dec. 18 and Jan. 9 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sol. Lee, Leeds.—Petition dated Nov. 21.

THOMAS CHAFFERS and HENRY JONES, Liverpool, brewers, Dec. 11 and Jan. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Horner, Liverpool.—Petition filed Nov. 21.

CHARLES PIGOT, Wigan, Lancashire, scrivener, miner, coal merchant, and brickmaker, Dec. 10 and 30 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sol. Mayhew, Wigan, Lancashire.—Petition filed Nov. 24.

MEETINGS.

John Solomon Ellis, Aldgate, London, tailor, Dec. 12 at 11, Court of Bankruptcy, London, last ex.—**Hugh M'Coll**, South Shields, Durham, bookseller, Dec. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, last ex.—**John Wallers**, Great Rider-street, St. James's, Middlesex, licensed victualler, Dec. 10 at half-past 1, Court of Bankruptcy, London, and ac.—**Alfred Hinton**, Portsmouth, Southampton, stationer, Dec. 10 at 12, Court of Bankruptcy, London, and ac.—**Thomas Barber**, Cambridge, schoolmaster, Dec. 10 at half-past 1, Court of Bankruptcy, London, and ac.—**George Edwin Dealey**, Brunswick-terrace, Trinity-street, Dover-road, Newington, Surrey, ironfounder, Dec. 10 at 1, Court of Bankruptcy, London, and ac.—**Thomas Hammond**, Condam-street, Westbourne-terrace, Paddington, Middlesex, shoemaker, Dec. 10 at 1, Court of Bankruptcy, London, and ac.—**Edward Davis**, Northampton, currier, Dec. 10 at 12, Court of Bankruptcy, London, and ac.—**Richard Brown**, Old Broad-street, London, auctioneer, Dec. 17 at 11, Court of Bankruptcy, London, and ac.—**William Hayhow**, Ratcliffe-highway, and High-street, Shadwell, Middlesex, shoemaker, Dec. 15 at 11, Court of Bankruptcy, London, and ac.—**Andrew Clark**, Bear-gardens, Southwark, Surrey, plumber, Dec. 16 at 11, Court of Bankruptcy, London, and ac.—**John Scott and John Scott the younger**, North Shields, Northumberland, shipowners, Dec. 19 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne, and ac., and Dec. 23 at 1, div. sep. est. of **John Scott**.—**John Stockdale**, Liverpool, soap manufacturer, Dec. 8 at 12, District Court of Bankruptcy, Liverpool, and ac.—**Samuel Mead and William Mead**, Liverpool, iron merchants, Dec. 9 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of **Samuel Mead**.—**John Strutt**, Liverpool, silk mercer, Dec. 8 at 12, District Court of Bankruptcy, Liverpool, and ac.—**Philemon Augustine Morley**, Great-bridge, Staffordshire, iron manufacturer, Dec. 18 at half-past 11, District Court of Bankruptcy, Birmingham, and ac.; Dec. 22 at half-past 11, div.—**George Cappur**, Nantwich, Cheshire, cheese factor, Dec. 8 at 11, District Court of Bankruptcy, Liverpool, and ac.—**John Bibby**, Llanrhainde yn Mochnant, Denbighshire, draper, Dec. 8 at 12, District Court of Bankruptcy, Liverpool, and ac.—**Hodgson Lewis and James Hervey**, Halifax, Yorkshire, spirit merchants, Dec. 11 at 11, District Court of Bankruptcy, Leeds, and ac.—**Henry Matthew Walker and Thos. Cannon**, Manchester, and Wakefield, Yorkshire, corn factors, Dec. 22 at 11, District Court of Bankruptcy, Leeds, and ac. and fin. div.—**John Sydenham**, Poole, Dorsetshire, printer, Dec. 19 at half-past 11, Court of Bankruptcy, London, div.—**Walter M'Dowall**, Little Queen-street, Lincoln's-inn-fields, Middlesex, printer, Dec. 20 at 12, Court of Bankruptcy, London, div.—**James Hayward**, Oxford-street, Whitechapel, Middlesex, watchmaker, Dec. 23 at 11, Court of Bankruptcy, London, div.—**Margaret Metkile**, Liverpool, pawnbroker, Dec. 22 at 11, District Court of Bankruptcy, Liverpool, div.—**Joseph Allanson**, Kirby Moorside, Yorkshire, draper, Dec. 19 at 11, District Court of Bankruptcy, Leeds, div.—**William Kendall and John Standish**, Leeds, Yorkshire, grocers, Dec. 19 at 11, District Court of Bankruptcy, Leeds, div. sep. est. of **John Standish**.—**John Ellison**, Selby, Yorkshire, linendraper, Dec. 19 at 11, District Court of Bankruptcy, Leeds, div.—**Thomas Powell**, Aston-near-Birmingham, miller, Dec. 22 at half-past 11, District Court of Bankruptcy, Birmingham, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Valentine, Northampton, tea dealer, Dec. 19 at 1, Court of Bankruptcy, London.—**Thomas Marriott**, Leighton Buzzard, Bedfordshire, seed merchant, Dec. 20 at half-past 1, Court of Bankruptcy, London.—**James S. Turner**, Woolwich, Kent, surgeon, Dec. 19 at 11, Court of Bankruptcy, London.—**John Hine May**, Brecknock-terrace, Camden-town, Middlesex, draper, Dec. 20 at 11, Court of Bankruptcy, London.—**J. Cook**, Assembly-row, Mile-end-road, Middlesex, builder, Dec. 20 at 11, Court of Bankruptcy, London.—**W. Benning**, Fleet-street, London, law bookseller, Dec. 20 at 11, Court of Bankruptcy, London.—**Geo. D. Robinson**, Manchester, coach builder, Dec. 22 at 12, District Court of Bankruptcy, Manchester.—**John Thompson**, Leeds, Yorkshire, china dealer, Dec. 19 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John Thomas, Shrewsbury, Shropshire, grocer. — *Cyrus Gittins*, Hanley, Staffordshire, grocer.

FIAT ANNULLED.

Wm. B. Pattinson, Liverpool, currier.

SCOTCH SEQUESTRATIONS.

J. Miller and *Geo. Arthur*, Leith, oil merchants. — *David Elder*, jun., and *W. Macgeorge*, Glasgow, engineers. — *Hugh M' Tavisah*, Glasgow, wine merchant. — *Thomas Salton*, Howford, Peebleshire, farmer. — *The Dundee Bleachfield Company*, Midmill, Water of Dighty, near Dundee, bleachers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Birdsall, New Malton, Yorkshire, fruiterer, Dec. 22 at 10, County Court of Yorkshire, at New Malton. — *John Howells*, Maesgwenllian, Kidwelly, Carmarthenshire, farmer, Dec. 18 at 11, County Court of Carmarthenshire, at Llanelly. — *John Cartwright*, Dudley, Worcestershire, bellows maker, Dec. 19 at 12, County Court of Worcestershire, at Dudley. — *Wm. Tominey*, Bewdley, Worcestershire, miller, Dec. 17 at 10, County Court of Worcestershire, at Kidderminster. — *H. Jones*, Birmingham, clerk, Dec. 6 at 10, County Court of Warwickshire, at Birmingham. — *James Morris*, Birmingham, builder, Dec. 6 at 10, County Court of Warwickshire, at Birmingham. — *James Morten*, Colchester, Essex, gardener, Dec. 22 at 12, County Court of Essex, at Colchester. — *Wm. Oxendall*, Ainderby Steeple, near Northallerton, Yorkshire, dealer in cattle, Dec. 13 at 11, County Court of Yorkshire, at Northallerton. — *George F. Betts*, Great Oakley, Essex, plumber, Dec. 23 at 12, County Court of Essex, at Harwich. — *Thomas Cooper*, Kirkhammerton, Yorkshire, publican, Dec. 5 at 10, County Court of Yorkshire, at Knaresborough. — *Jane Rogers*, Bristol, fruiterer, Dec. 10 at 11, County Court of Gloucestershire, at Bristol. — *Wm. Shaw*, Denholme, Worley, Halifax, Yorkshire, woollen manufacturer, Dec. 12 at 10, County Court of Yorkshire, at Halifax. — *Wm. Truss*, Southend, Prittlewell, Essex, tailor, Dec. 17 at 12, County Court of Essex, at Rochford. — *Richard Williams*, Shenfield, Essex, in no business, Dec. 19 at 11, County Court of Essex, at Brentwood. — *Richard Ireland*, Newton Moor, Whittington, Lancashire, shoemaker, Dec. 15 at 11, County Court of Westmoreland, at Kirkby Lonsdale. — *David Evans*, Swansea, Glamorganshire, grocer, Dec. 17 at 10, County Court of Glamorganshire, at Swansea. — *Samuel Wm. Moseley*, Neath, Glamorganshire, upholsterer, Dec. 16 at 10, County Court of Glamorganshire, at Neath.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 12 at 11, before the CHIEF COMMISSIONER.

Thos. Hardyman, Holland-street, Kensington, Middlesex, tailor. — *S. H. Sadler*, Old Church-street, Paddington, Middlesex, schoolmaster.

Dec. 12 at 10, before Mr. Commissioner LAW.

Samuel S. Pierson, Long-acre, Covent-garden, Middlesex, out of business. — *Frederick Young*, Upper John-st., Liverpool-road, Islington, Middlesex, traveller for warehousemen. — *George W. Dales*, Stratford, West Ham, Essex, foreman to a builder.

Dec. 12 at 11, before Mr. Commissioner PHILLIPS.

James de Coodree, Clarges-street, Piccadilly, Middlesex, steward in a gentleman's family. — *John Pascoe* the younger, Crown-place, Mile-end Old-town, Stepney, Middlesex, clerk to a mine owner.

Dec. 13 at 11, before Mr. Commissioner PHILLIPS.

Charles Knapp, New Church-st., Portman-market, Marylebone, Middlesex, general dealer.

Dec. 15 at 10, before Mr. Commissioner LAW.

Thomas Cumby, Nottingham-street, High-st., Marylebone, Middlesex, gas-fitter.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 12 at 11, before the CHIEF COMMISSIONER.

Mary Wellings, London-wall, not in any business.

Dec. 12 at 10, before Mr. Commissioner LAW.

Richard T. Hatfield, High-street, Battersea-sq., Battersea, Surrey, plumber.

Dec. 15 at 10, before Mr. Commissioner LAW.

Henry Pellatt, Russell-street, Cornwall-road, Lambeth, Surrey, attorney-at-law. — *James Talbot Davey*, Alfred-road, Westbourne-green, Paddington, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Yorkshire, at YORK CASTLE, Dec. 15 at 10.

Thomas Petty, Halbeck, near Leeds, farmer's assistant. — *John Beever*, Longwood, near Huddersfield, dyer. — *Thomas Smith*, Ouslewell-green, near Wakefield, rope and twine spinner. — *Samuel Brooke*, Pudsey, near Leeds, cotton warp dyer. — *Charles Barker*, York, currier. — *George Miritoft*, York, innkeeper. — *Thomas Barratt*, Wakefield, gardener. — *Robert Foster Wray*, Leeds, coffee-house keeper. — *Samuel Stones*, Leeds, small shopkeeper. — *Wm. Hinchcliffe*, Barnsley, out of business. — *George Thornbory*, Ripon, out of business. — *Samuel Pearson*, Sheffield, out of business. — *W. Whitehead*, Holme-upon-Spalding Moor, near Market Weighton, licensed victualler. — *John Heaton*, Golcar, near Huddersfield, cloth manufacturer. — *Thomas Moore*, Netherton, near Huddersfield, cloth finisher.

At the County Court of Carmarthenshire, at CARMARTHEN, Dec. 16 at 2.

John Andrews, Carmarthen, out of business.

At the County Court of Gloucestershire, at BRISTOL, Dec. 17 at 11.

Edward Holder, Kenn, Somersetshire, licensed retailer of beer.

INSOLVENT DEBTORS' DIVIDENDS.

John Hall, Horton Kirby, near Farningham, Kent, farrier: 2s. 9½d. in the pound. — *Alexander Horn*, deceased, Portsea, Southampton, master in her Majesty's Royal Navy: 5s. 2d. in the pound. — *James Dawson*, Richmond-road, Barnsbury-road, Islington, Middlesex, solicitor's clerk: 7d. in the pound. — *Richard D. Nelson*, Hemsworth-st., Hoxton, Middlesex, hat manufacturer: 1s. 7½d. in the pound. — *Chas. Humphreys*, High-st., Camden-town, Middlesex, grocer: 3s. 4d. in the pound. — *George Wright*, Leeds, Yorkshire, hair dresser: 8½d. in the pound. — *Hannah Cooper*, Birstal, near Leeds, Yorkshire, innkeeper: 8½d. in the pound.

Apply at the Provisional Assignee's Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETINGS.

James Lillcrap, East Stonehouse, Devonshire, captain in her Majesty's Royal Navy, Dec. 23 at 3, Commercial Hotel, Plymouth, Devonshire, sp. aff. — *Wm. Lupton*, Dec. 13 at 3, Messrs. Whitley's, Liverpool, sp. aff.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*William Watson*, of Hendon, Yorkshire; *Edward Butler*, of Leeds, Yorkshire; *Grantham Robert Dodd the younger*, of Reading, Berkshire.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas, has appointed *Edward Uhthoff*, Gent., of Knaresborough, Yorkshire, to be one of the Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women, in and for the West Riding of the county of York, also in and for the North Riding of the same county.

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The Hon. JOHN CHETWYND TALBOT Q. C., the Chairman of the Company, in the Chair,

A Report was read, from which it appeared—

That the Income of the Company for the year ending June 30, 1851, was £140,333 1 0
 The Premium on Policies issued in the year 5,99 13 9
 The Claims on decrease of Lives assured 35,091 1 9
 The Expenses 5,586 5 0
 The Total Assets of the Company 704,010 14 0

The Report entered into further details, and finished by stating that the Directors felt it unnecessary to dwell further upon the items of the year's account, as the quinquennial valuation to be made in June next was so near.

The Report was unanimously adopted, and some routine business having been disposed of, the thanks of the meeting were very cordially voted to the Chairman, Directors, and officers of the Company, when the meeting separated.

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The Jurist

No. 778—VOL. XV.

DECEMBER 6, 1851.

PRICE 1s.

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LONDON, DECEMBER 6, 1851.

WE are glad to see, since we last touched in this journal on the new law of evidence, that the view which we have from the beginning taken of it, with regard to the admissibility of a wife's evidence, has been supported by several decisions in the courts of common law, in which it has been held that such evidence is not admissible, except by consent. On that point we shall, therefore, say no more, as it may, we suppose, be considered settled. But there is another most material point, on which the judges have been proceeding with a degree of energy and fervour which may, if different views should not prevail, do much towards rendering the application of the act so intolerably severe, not to say oppressive, as to raise great hostility to it in the public mind. We refer to the view which has been so frequently adopted and acted upon in recent trials, and according to which it has been taken for granted, that because the evidence of one party is disbelieved in favour of the other party, or his witnesses, the party whose evidence is discredited by the jury is necessarily guilty of corrupt misstatement—in fact, of perjury. Now, why should this be taken for granted? It is well known, that, upon matters of fact, perfectly disinterested witnesses often differ so extensively in their recollection of the same fact, that their evidence becomes quite irreconcilable. In such cases the jury, of course, weighs the probabilities, and by that, and by other modes of testing the evidence, comes to a conclusion as to which of the witnesses it believes; but the Court does not therefore impute wilful falsehood to the other witness. Again: instances are on record of persons so totally forgetting even their own acts, that they would confidently state, with or without oath, that such acts never took place. A striking instance of this was given by Lord Brougham in one of his parliamentary speeches on law reform, in

which he mentions the case of a gentleman, (examined by himself while at the bar), who had so completely forgotten that he had made certain statements, that he repeatedly denied having done so, and that although Lord Brougham, pointing to a pile of the gentleman's letters which he had under his hand, cautioned him to pause before he repeated his denials, he indignantly persisted in them; while, in fact, his own letters directly disproved his statements. Lord Brougham, who knew who and what the witness was, and had good means of judging him, adds, "I do not believe he intentionally swore what was false; he only forgot what he had written some time before." Again: nothing is more common, or a more fertile source of litigation, than that contracting parties, especially if their contracts are verbal, misunderstand each other; that is, one uses language in a sense to which he attaches a given meaning and intention, while the other construes it differently: when, in consequence of this difference, litigation arises, and each is called upon to give his own version, in all probability the precise words used are forgotten by both, and each states, as fact, his own inference from the words spoken. Of course, if there happened to be witnesses, and, all forgetting, as would be likely, the precise words, a greater number understood them in one way than in the other, the jury would discredit the minority; but that is no reason why the minority should as of course be taken to be committing perjury, nor would they if they were ordinary witnesses. Why, then, should parties? No doubt there are, and will be, cases in which plaintiffs and defendants have committed, and will commit, gross perjury; but what we are contending for is, not that in such cases they should be allowed to escape the penalty of their crime any more than other witnesses, but that it should not be at once concluded, that because the evidence of a party is disproved, therefore he has been guilty of intentional falsehood. If the new act is to work well, plaintiffs

and defendants must be encouraged to give, not frightened out of giving, their evidence; but if committal for trial for perjury is to be the almost inevitable consequence of a man's evidence being disproved, no plaintiff or defendant, of any station or respectability of character, will venture to tender his own evidence, except where he has preserved the most positive documentary proof that he can neither have mistaken nor forgotten anything; and every man of business knows how seldom such precautions are taken. Let us not be understood as wishing to suggest for one moment that men should be encouraged or permitted to give evidence loosely, without having carefully considered the grounds on which they conclude that they are correct. But we do think that, in taking the evidence of parties as well as of ordinary witnesses, the Courts must look at the infirmities of men's minds as they are, and not suppose that human beings cease to share the ordinary mental failings because they are for the time being plaintiffs or defendants. They should bear in mind that many, nay most, memories, are treacherous; that men often firmly believe they have said what they meant to say, although a person looking on would have understood them quite differently; that they often confuse events, and attach to one event the recollection that should be attached to another; and that in these and many other causes of error are to be found abundant sources of inaccurate evidence, given perfectly bona fide, and which, though of course properly discredited if broken down by irresistible counter-evidence, ought not in every case, and without more than that the jury do discredit it, to lay the party open to the imputation of wilful and deliberate perjury. We can only say that while this severe measure continues to be dealt out to plaintiffs and defendants, we should be very loth to advise any client, of ordinary feebleness of mind, to tender his own evidence in his own behalf, in any case where he had in any material degree to rely either on his memory, unsaid by written memoranda, or on his understanding of his own language; in any case, in fact, in which he could, by possibility, forget or mistake anything.

Correspondence.

RIGHT OF INSPECTION OF DOCUMENTS UNDER THE EVIDENCE AMENDMENT ACT.

TO THE EDITOR OF "THE JURIST."

SIR,—If your leading article of the 22nd instant on this subject displays the usual legal ingenuity, and in one sense legal acumen, by which those articles have been ordinarily distinguished, I cannot help thinking it deficient in regard to their accustomed soundness of reasoning.

Your view of the above important question is, that inasmuch as the inspection which (at law) may be ordered of documents in the custody or control of the party, &c. is confined by the words of the act to cases in which, previously, a discovery might have been obtained by filing a bill, or by any other proceeding in equity, at the instance of the party so making application, &c., so it (the inspection) is limited to cases of production by a defendant, and that only of documents which he admits to be in his custody or control; and this because, by the rule in equity, (in case of a suit for discovery), inspection can only be ordered of documents of which the defendant, by his answer, admits the possession.

Surely, however, this is looking at the question through too contracted a medium, and from a point not admitting of a sufficiently expanded view. For the purpose of this view you must suppose, that, in the assumed suit in equity, the same person is plaintiff and the same person defendant who are respectively plaintiff and defendant in the action at law, and then ask what are the rights of the parties in regard to inspection; or rather, the right of the plaintiff; for the defendant, you insist, has no such rights against his opponent. But why not take higher ground—stand a little more beyond the contracted limits imposed by a close technical consideration of the question—conceive either of the parties to the action at law to be desiring inspection as against the other? If the party thus seeking can, by any kind of evidence, whether by affidavit, admission of his opponent, or otherwise, satisfy the mind of the judge that the documents in question are in the custody or under the control of the opposite party, why may it not be said he is in a position "to obtain the discovery by filing a bill in equity," without crippling the question by the false hypothesis, that, because he is (if he be) the defendant at law, he of necessity cannot be plaintiff in equity? For, as I have already said, the act does not confine the "bill or other proceeding in equity" to a bill or proceeding in which the parties occupy the same relative positions of plaintiff and defendant as they do at law. On the contrary, the right of inspection is given by the act to either of the parties at law, without limiting it to such an inspection as he would be entitled to if he occupied the same position (of plaintiff or defendant, as the case may be) in equity. Indeed, the very words of the act, "bill or other proceeding in equity, at the instance of the party so making application," &c., shew that the applicant is regarded as quasi the plaintiff in equity, whether he be the plaintiff or defendant at law.

If the view suggested by your article be the true one, it would seem that the argument on which it is founded might, with equal justice, be pressed still closer; and as the equitable rule will only enforce the production of documents admitted by the defendant's pleadings, so may the statute be said to confine the production at law to documents admitted by the defendant in his pleas or other subsequent pleading—analogous to the answer in equity; and then what practical operation will be left to the new enactment?

I remain, your obedient servant,

25th November, 1851.

H. B.

[We think that our correspondent has somewhat mistaken the scope of our argument in the article in question. We never meant to say that the act should be construed to extend only to inspection of the documents of a defendant at law. What we argued, and still argue, is this—that the act gives to the Courts of law only similar jurisdiction, to compel production of documents, to that which is enjoyed by Courts of equity; that equity only gives inspection upon the admission of the person against whom the application is made; and that as by the language of the statute the law is, as we submit, to follow equity, so at law production will not be compelled, except upon the admissions of the respondent. We apply this argument only thus far—that we apprehend that, at law, the Court will, by the aid of such machinery as it possesses, require the respondent to state whether he has or has not the documents alleged to be in his possession; and that, upon his statement on oath, it will proceed as Courts of equity proceed in the exercise of this species of jurisdiction, to the exclusion of any other testimony. In fact, this rule of equity, apparently merely technical, is founded upon common sense; for who can possibly of his own knowledge

know so certainly as the party himself whether he has or has not documents in his possession? All other knowledge must be imperfect. Another person may have seen a paper on my table on a particular day, but it does not follow that it was, even at the time, in my possession in the sense of having the right of possession. Suppose at that very time it belonged to another person, who had left it for an instant by mistake, and had the right to it, not only it would not be incorrect for me to say it was not in my possession, but it would be absolutely false to say that it was. In truth, "custody or control," in the sense in which the words are understood in equity, and, we conceive, are intended to be understood by the act of Parliament, imply, not the simple idea of bodily possession, but the complex idea of custody or possession coupled with right—the right to hold and deal with the documents; and of the existence of that species of custody or control no one but the party himself can have positive knowledge. It is, therefore, a sensible rule to rely upon, that no evidence shall be credited on such applications against the positive oath of the respondent.—Ed.]

TO THE EDITOR OF "THE JURIST."

SIR,—It is not improbable, I apprehend, that in the course of time the value of the gold currency of this kingdom will be seriously depreciated by the discovery of the metal in such abundance in California and Australia. In anticipation of such an event, might it not be desirable so to frame provisos for redemption in mortgages and other contracts for the loan of money, where the repayment of the loan is postponed for a lengthened period, as to give to the lender the option of being repaid either in gold or in silver coin? Assuming one pound sterling in gold standard currency to be equivalent to twenty coined silver shillings, it appears to me that a lender at the present time of that amount of money would not, in fact, be fairly repaid his loan, if seven years hence he received from the borrower a gold coin exchangeable for only fifteen silver shillings, if, during the seven years' interval, the supply of silver metal, and its consequent market value, continued unaltered.

Secondly, having regard to the existing usury laws, would it be legally possible, and would it in other respects be proper and equitable, to import into private contracts for the repayment of loans a *corn* standard of money value, such as that which is adopted by statute with reference to the tithe rent-charge?

Both these questions strike me as being of some practical importance to conveyancers; and if you are of the same opinion, probably you, or some of your correspondents, will take an opportunity of throwing some light on the subject. H. T. F.

MASTER IN CHANCERY.—The Lord Chancellor has appointed Kedgwin Hoskins Fryer, Gent., of Gloucester, to be a Master Extraordinary in the High Court of Chancery.

The Right Hon. Sir John Jervis, Knt., Lord Chief Justice of her Majesty's Court of Common Pleas at Westminster, has appointed the following gentlemen to be Perpetual Commissioners for taking the acknowledgments of deeds to be executed by married women:—Joseph Anderson, of Newcastle-upon-Tyne, in and for the town and county of the town of Newcastle-upon-Tyne, also in and for the county of Northumberland; Richard Parry Jones, of Whitchurch, Shropshire, in and for the county of Salop, also in and for the counties of Chester and Flint.

ERRATUM.—In the list of Gentlemen called to the Bar by the Society of the Inner Temple, (ante, p. 430), for "William Holl Haworth, Esq.," read "William Haworth Holl, Esq."

London Gazette.

TUESDAY, DECEMBER 2.

BANKRUPTS.

JAMES CLARK, Upwell, Cambridgeshire, miller, dealer and chapman, Dec. 16 and Jan. 13 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Watson, Wisbeach; Abbott & Co., New-inn, Strand.—Petition filed Nov. 26.

WILLIAM BOYCE the elder, Dover, Kent, hotelkeeper, dealer and chapman, Dec. 18 at 2, and Jan. 15 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Church & Langdall, 38, Southampton-buildings, Chancery-lane.—Petition filed Dec. 1.

WILLIAM MAYNE NEILL, Liverpool, merchant, dealer and chapman, Dec. 12 at half-past 12, and Jan. 30 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Murray, 11, London-street, Fenchurch-street.—Petition filed Nov. 28.

WILLIAM RAWLINS, Mill-street, Warwickshire, maltster, Dec. 17 and Jan. 6 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Heath, Warwick; Motteram & Co., Birmingham.—Petition dated Nov. 29.

ROBERT JACKSON, Nottingham, butcher, dealer and chapman, Dec. 19 at 10, and Jan. 9 at 12, District Court of Bankruptcy, Nottingham: Off. Ass. Bittleston; Sol. Bowley, Nottingham.—Petition dated Nov. 25.

DAVID SHAW and **JOSHUA SHAW**, Royd Edge, *Meltham*, (and not *Meetham*, as advertised in last Friday's Gazette), Almondbury, Yorkshire, manufacturers and co-partners, Dec. 19 and Jan. 8 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Courtenay & Compton, Leeds.—Petition dated Nov. 21.

JOSEPH LONGBOTTOM and **THOMAS FAWCETT**, Leeds, Yorkshire, cloth merchants, dealers and chapmen, (trading under the firm of J. Longbottom & Co.), Dec. 19 and Jan. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sol. Middleton, Leeds.—Petition dated Nov. 1.

SAMUEL CROSSLAND, Elland, Yorkshire, corn miller, dealer and chapman, Dec. 18 and Jan. 22 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Westmorland & Taylor, Wakefield, Yorkshire.—Petition dated Dec. 21.

WILLIAM MASON, Halifax, Yorkshire, draper, dealer and chapman, Dec. 18 and Jan. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Sale, Manchester; J. & H. Richardson & Gaunt, Leeds.—Petition dated Nov. 19.

ALBION CRAVEN, Armley, Leeds, Yorkshire, cloth manufacturer, (heretofore carrying on business at the Butter Bowl Mill, Farnley, Leeds, with George Fletcher, under the style or firm of Fletcher & Craven), Dec. 18 and Jan. 23 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. J. & H. Richardson & Gaunt, Leeds.—Petition dated Nov. 20.

MOSES ORME and **WILLIAM HENRY LYNASS**, Liverpool, ale and porter merchants, (carrying on business under the firm of Orme & Lynass), Dec. 15 and Jan. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Anderson & Collins, Liverpool.—Petition filed Nov. 27.

EDWARD WARING, Liverpool, keeper of an inn, omnibus proprietor, dealer and chapman, Dec. 17 and Jan. 7 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Caze-nove; Sol. Bremner, Liverpool.—Petition filed Nov. 24.

WILLIAM WAUDBY KING, Liverpool, chemist and druggist, dealer and chapman, Dec. 15 and Jan. 5 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Caze-nove; Sol. Jones, Liverpool.—Petition filed Nov. 27.

MEETINGS.

John Lane, High-street, Marylebone, Middlesex, dealer and chapman, Dec. 13 at half-past 11, Court of Bankruptcy, London, and ac.—*David French* and *Archibald Sands*, Coal Exchange, London, and Chatham, Kent, coal factors, Dec. 13 at half-past 12, Court of Bankruptcy, London, and ac.—*Rich. Jackson* and *Rich. Yale*, Leeds, Yorkshire, engineers,

Dec. 12 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Smith Tibbits*, Shuckburgh, Warwickshire, dealer in mineral ores, Dec. 13 at half-past 10, District Court of Bankruptcy, Birmingham, aud. ac.—*Hen. Watson and John George Hick*, Pimlico, Middlesex, and Sittingbourne, Kent, cement manufacturers, Dec. 23 at half-past 11, Court of Bankruptcy, London, div.—*Jonathan Higginson and Rich. Deane*, Liverpool, merchants, Dec. 26 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Thomas Curtis, Norwich, grocer, Dec. 24 at 1, Court of Bankruptcy, London.—*Henry James Ellis*, Rotherhithe-wall, Rotherhithe, Surrey, ironmonger, Dec. 24 at 12, Court of Bankruptcy, London.—*Edwin Miles and Henry Miles*, Miles-terrace, East Greenwich, Kent, builders, Dec. 20 at 1, Court of Bankruptcy, London.—*John Reid*, Huddersfield, Yorkshire, merchant, Jan. 19 at 11, District Court of Bankruptcy, Leeds.—*Geo. Marshall Bass*, Louth and Horncastle, Lincolnshire, grocer, Jan. 14 at 12, District Court of Bankruptcy, Kingston-upon-Hull.—*John Johnson*, Wolston, Warwickshire, coal dealer, Dec. 23 at 1, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Joseph Coslett and Thomas Lloyd Pemberton, Sedgley, Staffordshire, cement merchants.

FIAT ANNULLED.

Arthur Wright, Kettering, Northamptonshire, grocer.

PETITION ANNULLED.

William Lancefield, Camberwell, Surrey, butcher.

SCOTCH SEQUESTRATIONS.

John Johnston, Edinburgh, hotelkeeper.—*Jas. Scott*, jun., Tiltenturk, Kincardine-O'Neil, Aberdeenshire, farmer.—*Robt. Legget*, Water of Leith, near Edinburgh, skinner.—*David Orr Gilmour*, deceased, Hamilton, Lanarkshire, factor.—*Alexander Hutchison*, Edinburgh, brush manufacturer.—*John Aikenhead & Co.*, Braefoot, near Bothwell, Lanarkshire, masons.—*John Dickie & Co.*, Glasgow, merchants.—*Rose & Co.*, Portmahomack, bakers.—*William Campbell*, Helensburgh, Dumbartonshire, grocer.—*Wm. Dutch & Co.*, Perth, shipbuilders.—*Johnson, Campbell, & Co.*, Glasgow, muslin warehousemen.—*Alexander Steven*, Glasgow, commission agent.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Mary Dickinson, Manchester, provision dealer, Dec. 12 at 12, County Court of Lancashire, at Manchester.—*William Bryer Nation* the younger, Kingsnorton, Worcestershire, out of business, Dec. 6 at 10, County Court of Warwickshire, at Birmingham.—*William Greenwood*, Langfield, Halifax, Yorkshire, tavern keeper, Dec. 23 at 10, County Court of Yorkshire, at Todmorden.—*John Byrd*, Barnsley, Yorkshire, tailor, Dec. 16 at 11, County Court of Yorkshire, at Bradford.—*Joseph Baucutt*, (wrongly advertised as *Joseph Bancutt*), Northampton, gardener, Dec. 17 at half-past 10, County Court of Northamptonshire, at Northampton.—*Jos. Webster*, Bowling, near Bradford, Yorkshire, forgerman, Dec. 16 at 11, County Court of Yorkshire, at Bradford.—*A. Greenwood*, Undercliffe, Bradford, Yorkshire, butcher, Dec. 16 at 11, County Court of Yorkshire, at Bradford.—*B. Carrigan*, Manchester, marine store dealer, Dec. 12 at 12, County Court of Lancashire, at Manchester.—*J. Burnley*, Bowling, Bradford, Yorkshire, farmer, Dec. 16 at 11, County Court of Yorkshire, at Bradford.—*B. Patchett*, Clayton, Bradford, Yorkshire, deliver, Dec. 16 at 11, County Court of Yorkshire, at Bradford.—*T. Davies*, Llanelly, Carmarthenshire, out of business, Dec. 18 at 11, County Court of Carmarthenshire, at Llanelly.—*Wm. T. Woodruff*, Deal, Kent, baker, Dec. 18 at 11, County Court of Kent, at Deal.—*John Wray*, Dover, Kent, beerseller, Dec. 10 at 10, County Court of Kent, at Dover.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 17 at 11, before the CHIEF COMMISSIONER.

David G. Thompson, Parsons-cottages, Putney, Surrey, engraver.—*Charles Jones*, Maria-terrace, Boat-house-bridge, Peckham-fields, Surrey, plasterer.—*E. Blackford*, Hampden-street, Harrow-road, Middlesex, grocer.—*Henry Thomas A. Porter*, London-st., Copenhagen-st., Caledonian-road, Battle-bridge, Middlesex, upholsterer.

Dec. 17 at 10, before Mr. Commissioner LAW.

Stephen White, Theobald's-road, Red Lion-sq., Middlesex, surgeon.—*John Brannan*, Blenheim-street, Oxford-street, Middlesex, tailor.

Saturday, Nov. 29.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Joseph Sharrod, Liverpool, oil manufacturer, No. 74,288 C.; *John B. Cooper*, assignee.—*James Hill*, Exeter, farrier, No. 74,346 C.; *John Dennis* and *John Roberts*, assignees.

Saturday, Nov. 29.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Jane Claridge, widow, Park-walk, Chelsea, Middlesex, out of business: in the Queen's Prison.—*Robt. Loder* the younger, Parker-st., Drury-lane, Middlesex, tobacco-pipe maker: in the Debtors Prison for London and Middlesex.—*W. Horne*, Canterbury-villas, Maida-hill, Paddington, Middlesex, manager of the business of a coach builder: in the Queen's Prison.—*Henry Cohen*, Cow Cross-street, Smithfield, Middlesex, iron founder: in the Queen's Prison.—*Frank Webb*, Malsmore-square, New Peckham, Surrey, clerk to a wine merchant: in the Queen's Prison.—*James Robertson*, St. Mary's-square, Walcot-pl., Lambeth, Surrey, solicitor's clerk: in the Debtors Prison for London and Middlesex.—*Thos. Forshall*, Chester-place, Kennington, Surrey, consulting surgeon: in the Queen's Prison.—*Joseph Harwar*, Bloomsbury, Middlesex, pianoforte manufacturer: in the Debtors Prison for London and Middlesex.—*Joseph Ferris*, Grove-place, Tottenham, Middlesex, wine merchant: in the Queen's Prison.—*Jules Van Eeten*, St. Paul's Churchyard, London, shipbroker: in the Queen's Prison.—*James George Cooley*, Milton-street, Chiswell-street, Middlesex, hot presser: in the Debtors Prison for London and Middlesex.—*Thomas Loosley*, Field-place, Lock's-fields, Walworth, Surrey, parchment manufacturer: in the Gaol of Horse-monger-lane.—*W. H. Compton*, Paddington-st., Marylebone, Middlesex, printer: in the Debtors Prison for London and Middlesex.—*W. S. Mayhew*, Great Carter-lane, London, horse slaughterer: in the Debtors Prison for London and Middlesex.—*H. Goddard*, St. Oswald's-place, Vauxhall-gardens, Vauxhall, Surrey, horse dealer: in the Queen's Prison.—*C. Chilton*, Fitches-court, Noble-street, Falcon-square, London, button manufacturer: in the Debtors Prison for London and Middlesex.—*S. R. Barr*, Hare-street, Woolwich, Kent, baker: in the Debtors Prison for London and Middlesex.—*S. Pitts*, Bentinck-street, Berwick-st., Oxford-st., Middlesex, saddler: in the Debtors Prison for London and Middlesex.—*George Richardson*, Gutter-lane, Cheapside, London, smith: in the Debtors Prison for London and Middlesex.—*J. J. Southgate*, Hope-cottage, Bayham-street South, Camden-town, Middlesex, musical instrument maker: in the Debtors Prison for London and Middlesex.—*John Stickles*, Margate, Kent, fish dealer: in the Debtors Prison for London and Middlesex.—*John Hall Thompson*, Park-street, Camden-town, Middlesex, hairdresser: in the Debtors Prison for London and Middlesex.—*C. B. Chapman*, Isleworth, Middlesex, market gardener: in the Debtors Prison for London and Middlesex.—*J. Charlesworth*, Sheerness, Kent, waterman: in the Gaol of Maidstone.—*John H. Davies*, Llwynymoch, Llanddinsaint, Carmarthenshire, farmer: in the Gaol of Carmarthen.—*Wm. B. Cliffe*, Cradley, Herefordshire, out of business: in the Gaol of Hereford.—*Eliza Hooker*, Beckenham, near Bromley, Kent, coal

merchant: in the Gaol of Maidstone.—*T. Shanton*, Stafford, boot manufacturer: in the Gaol of Stafford.—*Isaac Royse*, Chorlton-cum-Hardy, near Manchester, commercial clerk: in the Gaol of Lancaster.—*John Williams*, Swinton, near Manchester, tailor: in the Gaol of Lancaster.—*John Andrews*, Carmarthen, confectioner: in the Gaol of Carmarthen.—*T. F. Wilmot*, Harby, Nottinghamshire, butcher: in the Gaol of Lincoln.—*James Smith*, Birkenhead, near Liverpool, provision-shop keeper: in the Gaol of Lancaster.—*James Ashton*, Wigan, Lancashire, cabinet maker: in the Gaol of Lancaster.—*James Bearder*, Oxford, chemist: in the Gaol of Oxford.—*John Clayton*, Chorlton-upon-Medlock, Manchester, stonemason: in the Gaol of Lancaster.—*Thomas Emery*, Hulme, Manchester, grocer: in the Gaol of Lancaster.—*Jos. Foden*, Salford, Lancashire, brewer: in the Gaol of Lancaster.—*Wm. Huston*, Liverpool, sail maker: in the Gaol of Lancaster.—*J. Kershaw*, Salford, Lancashire, hosier: in the Gaol of Lancaster.—*Peter Lawton*, Liverpool, chemist: in the Gaol of Lancaster.—*Wm. Proter* the younger, Wigan, Lancashire, tanner: in the Gaol of Lancaster.—*Wm. Thomas*, Liverpool, licensed victualler: in the Gaol of Lancaster.—*James White*, Manchester, architect: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 16 at 11, before the CHIEF COMMISSIONER.

John Lawrence Orpen, West End-lane, Kilburn, Middlesex, signalman.

Dec. 17 at 10, before Mr. Commissioner LAW.

Thomas Borton, Little Earl-street, Seven-dials, Middlesex, cheesemonger.

Dec. 17 at 11, before Mr. Commissioner PHILLIPS.

Wm. Marshall, Skinner-street, Snow-hill, London, shoe manufacturer.—*William Giles*, Cheltenham, Gloucestershire, baker.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Glamorganshire, at CARDIFF, Dec. 12.

John Thomas, Pontrhydyrin, Michaelstone-super-Avon, grocer.

At the County Court of Cambridgeshire, at CAMBRIDGE, Dec. 15 at 10.

George Smith, Cambridge, shoemaker.

At the County Court of Northamptonshire, at NORTHAMPTON, Dec. 17 at half-past 10.

Robert German, Peterborough, builder.

At the County Court of Lancashire, at MANCHESTER, Dec. 19 at 11.

Thomas Bosley, Salford, Manchester, out of business.

At the County Court of Essex, at COLCHESTER, Dec. 22 at 12.

John Andrews, Colchester, grocer's assistant.

MEETING.

John Titterton, York, commission agent in wool, Dec. 22 at 12, Alexanders & Hemmerton's, Halifax, sp. aff.

FRIDAY, DECEMBER 5.

BANKRUPTS.

HUGH CLARK, Cheshunt, Hertfordshire, and Bank-chambers, London, stock and share broker, dealer and chapman, Dec. 12 and Jan. 13 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Cox, Pinners'-hall, Broad-street.—Petition filed Nov. 25.

WILLIAM WILLIAMS and ROBERT MUDGE MARCHANT, Great George-street, Westminster, Middlesex; Netherfield-road, North Liverpool, Lancashire; and Campden, Gloucestershire, contractors for public works and builders, dealers and chapman, Dec. 19 and Jan. 31 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Fox & Co., 51, Old Broad-street, London.—Petition dated Nov. 29.

THOMAS STEPHEN CURTIES, York-st., Westminster, Middlesex, cheesemonger, dealer and chapman, Dec. 11 and Jan. 13 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Morgan, 15, Old Jewry.—Petition filed Nov. 25.

WALTER PULLEIN, late of Friday-st., Cheapside, London, woollen warehouseman, but now of Torriano-avenue, Kentish-town, Middlesex, out of business, Dec. 19 at 1, and Jan. 24 at 11, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Jones, 9, Quality-court, Chancery-lane.—Petition dated Dec. 2.

JAMES FULLER, City-road, Finsbury, Middlesex, glass merchant, dealer and chapman, Dec. 19 at half-past 12, and Jan. 24 at half-past 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Lawrance & Co., 14, Old Jewry-chambers, London.—Petition dated Dec. 2.

WILLIAM KIRBY, Stockwell Park-road, Stockwell, Surrey, builder, and Hale Arms, Hale-street, Deptford, Kent, licensed victualler, Dec. 16 at 2, and Jan. 20 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Howard & Dollman, 2, Crescent, Bridge-st., Blackfriars.—Petition filed Dec. 5.

JAMES NICHOLSON, Woolwich, Kent, grocer and cheesemonger, Dec. 16 at 11, and Jan. 13 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lawrance & Co., Old Jewry.—Petition filed Dec. 2.

DAVID LITTLE, Liverpool, merchant, dealer and chapman, Dec. 18 and Jan. 9 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Radcliffe, Liverpool.—Petition filed Nov. 26.

SAMUEL WHARTON, late of Leftwich, but now of Hartford, Cheshire, wine and spirit merchant, brewer, dealer and chapman, Dec. 18 and Jan. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Davenport & Collier, Liverpool.—Petition filed Dec. 2.

FREDERICK DEANE, Liverpool, merchant and shipowner, Dec. 18 and Jan. 8 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Tyrer, Liverpool.—Petition filed Nov. 22.

JOHN WAGSTAFF, (commonly known or called John Brockholding Wagstaff), Worcester, cattle dealer, dealer and chapman, Dec. 22 and Jan. 8 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Hyde & Tymbys, Worcester; Smith, Birmingham.—Petition dated Nov. 22.

RICHARD CALDICOTT, Cardiff, Glamorganshire, grocer, dealer and chapman, Dec. 16 and Jan. 13 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sols. Castle & Henderson, Bristol.—Petition filed Nov. 8.

THOMAS WILCE, Rourdean, Gloucestershire, grocer and general-shop keeper, dealer and chapman, Dec. 19 and Jan. 19 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Whatley, Micheldean, Gloucestershire.—Petition filed Dec. 4.

ROBERT SEYMOUR, Sunderland, Durham, linen and woollen draper, dealer and chapman, Dec. 12 and Jan. 20 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Payne & Co., Leeds; Harle, 20, Southampton-buildings, Chancery-lane, London, and Newcastle-upon-Tyne.—Petition filed Nov. 20.

MEETINGS.

John Heywood and James Heywood, Liverpool, provision merchants, Dec. 16 at 11, District Court of Bankruptcy, Liverpool, pr. d.—*The Rev. Thos. Frederick Paul Hankins*, Hereford, clerk, Dec. 23 at 1, District Court of Bankruptcy, Birmingham, ch. ass. and pr. d.—*W. T. Adcock*, Manchester, hotelkeeper, Dec. 19 at 12, District Court of Bankruptcy, Manchester, last ex.—*Joseph Beaumont*, Leman-st., White-chapel, Middlesex, engineer, Dec. 17 at 12, Court of Bankruptcy, London, aud. ac.—*William Russell*, Billiter-street, London, merchant, Dec. 16 at 12, Court of Bankruptcy, London, aud. ac.—*Joseph Marriott*, Gracechurch-st., London, oilman, Dec. 18 at 1, Court of Bankruptcy, London, aud. ac.—*Emanuel Simon Howard and T. Stone*, Norwich, builders, Dec. 22 at 2, Court of Bankruptcy, London, aud. ac.—*Robert M'Dowall*, Worthing, Sussex, draper, Dec. 16 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Edward Benton*, Tottenham-court-road, Middlesex, pawnbroker, Dec. 16 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Edw. Clay*, Easry, near Sandwich, Kent, linendraper, Dec. 16 at 11, Court of Bankruptcy, London, aud. ac.—*R. Pettigrew*

the younger, Mulgrave-place, Woolwich, Kent, tailor, Dec. 16 at 11, Court of Bankruptcy, London, aud. ac.—*Thomas Harrison*, Addle-st., London, trimming manufacturer, Dec. 19 at 12, Court of Bankruptcy, London, aud. ac.—*Walter McDowell*, Little Queen-st., Lincoln's-inn-fields, Middlesex, printer, Dec. 19 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Walter Phesse*, Covent-garden Market, licensed victualler, Dec. 18 at 12, Court of Bankruptcy, London, aud. ac.—*Raley Middlewood* and *Allen Foster*, Leeds, Yorkshire, linendrapers, Dec. 18 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Manus Feeny* and *J. Gard*, St. Martin's-lane, Middlesex, woollendrapers, Dec. 18 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Thomas E. Slate*, King's Head-court, London, and Hatton-garden, Middlesex, bookbinder, Dec. 18 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Barker*, Exmouth-st. and Pleasant-row, Clerkenwell, Middlesex, cheesemonger, Dec. 18 at half-past 11, Court of Bankruptcy, London, aud. ac.—*J. Limbird*, Strand, Middlesex, stationer, Dec. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Sampson C. Beasall* and *William Mather*, High-st., Kensington, Middlesex, linendrapers, Dec. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Keeping*, Ryde, Isle of Wight, Southampton, watchmaker, Dec. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Adolf Heilbronn* and *John Harrison*, Great St. Helen's, London, drysalers, Dec. 20 at 12, Court of Bankruptcy, London, aud. ac.—*Wm. Taylor* and *James Wyld*, Wood-st., London, and Lock's-fields, Walworth, Surrey, flock manufacturers, Dec. 18 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Budgen*, Llanhilleth, near Newport, Monmouthshire, ironfounder, Dec. 18 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Henry Cannisford*, Ottery St. Mary, Devonshire, innkeeper, Dec. 16 at 11, District Court of Bankruptcy, Exeter, aud. ac.; Jan. 6 at 11, div.—*John Square*, *Walter Prideaux* the younger, and *Walter Were Prideaux*, Kingsbridge, Devonshire, bankers, Dec. 17 at 11, District Court of Bankruptcy, Exeter, aud. ac. joint est., and aud. ac. sep. est. of *W. Prideaux* the younger.—*James Monkman*, Oldham, Lancashire, cotton spinner, Dec. 18 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 8 at 12, div.—*Margaret Meikle*, Liverpool, pawnbroker, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Samuel Cherry*, Liverpool, broker, Dec. 17 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Clipseon*, Chester, builder, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Thomas Irlam* and *Vincent Wanostrocht*, Liverpool, brokers, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Wm. Haakayne*, Liverpool, merchant, Dec. 18 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*George Pim* and *Sylvanus Pim*, Birkenhead, Cheshire, merchants, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac. sep. est. of *George Pim*.—*George Haynes*, Leek, Staffordshire, draper, Dec. 16 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*E. Lacey*, Birmingham, glass dealer, Dec. 16 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*William Congreve*, Spalding, Lincolnshire, corn merchant, Dec. 19 at 12, District Court of Bankruptcy, Birmingham, aud. ac.—*Ann Walkden*, spinster, Horketow, Lincolnshire, carrier, Dec. 17 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*W. Walker*, Saltmarsh Grange, Howden, and Eastington, Yorkshire, sacking manufacturer, Dec. 17 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—*John Ellison*, Selby, Yorkshire, linendraper, Dec. 18 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Wm. Kendall* and *J. Standish*, Leeds, Yorkshire, grocers, Dec. 18 at 11, District Court of Bankruptcy, Leeds, aud. ac. sep. est. of *John Standish*.—*Joseph Allanson*, Kirbymoorside, Yorkshire, draper, Dec. 18 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Joseph J. Long*, Minorities, London, mercer, Jan. 13 at 12, Court of Bankruptcy, London, div.—*Fuller Coker*, Shipdham, Norfolk, timber dealer, Dec. 30 at 11, Court of Bankruptcy, London, div.—*Frederick Davis*, Luton, Bedfordshire, merchant, Dec. 30 at 11, Court of Bankruptcy, London, div.—*John Midgley*, Kingston-upon-Hull, carpenter, Dec. 31 at 12, District Court of Bankruptcy, Kingston-upon-Hull, first and fin. div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Sykes the younger, Sowerby, near Halifax, Yorkshire,

tea dealer, Jan. 20 at 11, District Court of Bankruptcy, Leeds.—*Michael Lees*, Salterhebble, Halifax, Yorkshire, woollen manufacturer, Feb. 2 at 11, District Court of Bankruptcy, Kingston-upon-Hull.—*Chas. Bayliffe*, Chippenham, Wiltshire, surgeon, Jan. 1 at 11, District Court of Bankruptcy, Bristol.—*James Heywood*, Liverpool, provision merchant, Dec. 29 at 11, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Thomas Elson Williams, Exeter, wine merchant.—*James Schofield*, Aldermanbury, London, warehouseman.—*James Murray*, Gresham-street, London, woollen warehouseman.—*Thomas Hurst*, Warrington, Lancashire, printer.—*Jas. Wilde*, Salford, Lancashire, builder.—*Edward Dickinson*, Wolverhampton, Staffordshire, provision merchant.

SCOTCH SEQUESTRATIONS.

James Nicholson, Gardinstown, fish curer.—*John Cabbell & Co.*, Glasgow, merchants.—*John Loban*, deceased, Stornoway, builder.—*David Chapman*, Edinburgh, grain dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Benjamin Peyman, Oxford, bricklayer, Dec. 22 at 11, County Court of Oxfordshire, at Oxford.—*Charles James Lancaster*, Honley, Almondsbury, Yorkshire, innkeeper, Dec. 22 at 11, County Court of Yorkshire, at Holmfirth.—*John Lippiatt*, Wellow, Somersetshire, baker, Jan. 3 at 11, County Court of Somersetshire, at Bath.—*Henry James Smith*, Bath, butcher, Dec. 20 at 11, County Court of Somersetshire, at Bath.—*Robert Rutter Porter*, Bath, baker, Dec. 27 at 11, County Court of Somersetshire, at Bath.—*David Hiley*, Trevechin, Monmouthshire, labourer, Dec. 18 at 10, County Court of Monmouthshire, at Pontypool.—*John Kemp*, Linton, Cambridgeshire, tailor, Dec. 22 at 12, County Court of Essex, at Saffron Walden.—*Abraham Coates*, Chalgrove, Oxfordshire, grocer, Dec. 31 at 11, County Court of Oxfordshire, at Thame.—*Mark Albery*, Horsham, Sussex, out of business, Dec. 23 at 12, County Court of Sussex, at Horsham.—*John Boustead*, Carlisle, out of business, Dec. 19 at 10, County Court of Cumberland, at Carlisle.—*George Edward Moulson*, Gresford, Denbighshire, out of business, Dec. 16 at 10, County Court of Denbighshire, at Wrexham.—*John Vokes*, Bath, farmer, Dec. 27 at 11, County Court of Somersetshire, at Bath.—*John Thomas Davis*, Bath, licensed victualler, Dec. 13 at 11, County Court of Somersetshire, at Bath.—*Jonah Bulman*, Carlisle, Cumberland, hay dealer, Dec. 19 at 10, County Court of Cumberland, at Carlisle.—*Williams Williams*, Dowlais, Merthyr Tydvil, Glamorganshire, haulier, Dec. 10 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Thomas Douglas*, North Shields, Northumberland, chemist, Dec. 26 at half-past 10, County Court of Northumberland, at North Shields.—*Henry Prichard*, Risca, Monmouthshire, carpenter, Dec. 16 at 12, County Court of Monmouthshire, at Newport.—*David Morgan*, Newport, Monmouthshire, coal inspector, Dec. 16 at 12, County Court of Monmouthshire, at Newport.—*Thos. Morse*, Newport, Monmouthshire, ironmonger, Dec. 16 at 12, County Court of Monmouthshire, at Newport.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 19 at 11, before the CHIEF COMMISSIONER.

Charles Dewing, Great Marlborough-street, Middlesex, office-keeper at the Police Court, Great Marlborough-street.

Dec. 19 at 10, before Mr. Commissioner LAW.

James Barrow Storey, Trinity-street, Newington, Surrey, house agent.—*Henry Thompson*, Little Bell-alley, London-wall, London, fishmonger.

Dec. 19 at 11, before Mr. Commissioner PHILLIPS.

William Henry Williams, Back-street, Horselydown, Surrey, greengrocer.—*Richard May Leam*, Banner-square, Banner-street, St. Luke's, Middlesex, out of employ.

Dec. 22 at 11, before the CHIEF COMMISSIONER.

Thomas Garralt, Great Suffolk-street, Southwark, Surrey, greengrocer.—J. Bingham, Church-street, Kensington, Middlesex, clerk to an attorney.

Dec. 22 at 10, before Mr. Commissioner LAW.

Joseph Thompson, Terrace, Kensington, Middlesex, out of employ.—Wm. Broom, Southwark-bridge-road, Newington, Surrey, carpenter.

Dec. 22 at 11, before Mr. Commissioner PHILLIPS.

John Tompkins, New Charles-street, Goswell-road, Middlesex, coffee-house keeper.—Catherine Rowe, widow, Milton-street, Dorset-square, Middlesex, lodging-house keeper.—Jas. Searle, Melrose-cottage, Windmill-lane, Camberwell, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 19 at 11, before the CHIEF COMMISSIONER.

S. A. Hayes, Ivy-cottage, Lewisham-road, Deptford, Kent, clerk in the Surveyor's Department of the Admiralty, Somerset-house, Strand.—J. Harwar, Bloomsbury-st., Middlesex, pianoforte manufacturer.—Joseph Tapson, Palace-street, Pimlico, Middlesex, out of business.—Richard Reilly the younger, South Audley-street, Grosvenor-sq., Middlesex, auctioneer.—M. Horner, Magdalen-circus, Bermondsey-street, Bermondsey, Surrey, leather dresser.

Dec. 19 at 10, before Mr. Commissioner LAW.

T. Marchant, Knight's-buildings, New-road, North-end, Fulham, Middlesex, and Roehampton, Surrey, whitesmith.—Robert Broad, Swan-street, Dover-road, Surrey, commission traveller.—Jas. Robertson, St. Mary's-square, Walcot-place, Lambeth, Surrey, solicitor's clerk.

Dec. 19 at 11, before Mr. Commissioner PHILLIPS.

J. H. Stocqueler, St. Alban's-place, St. James's, Middlesex, author.—Andrew Murray, Holly Mount, Hampstead, Middlesex, out of employment.

Dec. 22 at 11, before the CHIEF COMMISSIONER.

Henry Hearn, Old Brentford, Middlesex, hairdresser.—C. B. Chapman, Isleworth, Middlesex, market gardener.

Dec. 22 at 10, before Mr. Commissioner LAW.

Samuel Pitts, Bentinck-street, Berwick-street, Oxford-st., Middlesex, saddler.

Dec. 22 at 11, before Mr. Commissioner PHILLIPS.

Joseph Nelson, Southampton, tobaccoist.—E. W. Uren, Richmond-road, Westbourne-grove, Bayswater, Middlesex, builder.—Jane Claridge, Park-walk, Chelsea, Middlesex, out of business.

County Court of Lancashire, at Lancaster. Assignees have been appointed in the following Cases:—

Wm. H. Leigh, Blackburn, attorney at law, No. 74,270; James Edmundson, assignee.—Joseph Sharrod, Liverpool, out of business, No. 74,288; John B. Cooper, assignee.—J. R. Proctor, Manchester, out of business, No. 74,355; Thos. Challinor, assignee.—James Glover, Liverpool, out of business, No. 74,365; J. H. Young, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Dec. 19 at 11.

Wm. Huston, Liverpool, sail maker.—James White, Manchester, architect.—John Kershaw, Manchester, hosier.—P. Lawton, Liverpool, chemist.—William Proctor the younger, Pemberton, near Wigan, carrier.—Thomas Emery, Hulme, Manchester, joiner.—James Ashton, Wigan, cabinet maker.—John Worsley, Preston, spindle maker.—Joseph Foden, Salford, brewer.—James Smith, Liverpool, out of business.—J. Horbury, Liverpool, broker.—Wm. Thomas, Liverpool, out of business.—Abel Andrew, Liverpool, out of business.

At the County Court of Hampshire, at WINCHESTER, Dec. 19.

Herbert Sawyer Diaper, Gosport, out of business.

At the County Court of Oxfordshire, at OXFORD, Dec. 22 at 10.

James Tanner, Chalgrove, out of business.

INSOLVENT DEBTORS' DIVIDENDS.

Limpus Hurst, Oxford-terrace, Clapham-road, Surrey, clerk in Somerset House: 4s. 3½d. in the pound.—Thomas Fitzgibbon, St. George's-street, Ratcliffe-highway, Middlesex, general-shop keeper: 9½d. in the pound.—Wm. Minchin, Turnham-green, Middlesex, licensed victualler: 11½d. in the pound.—James Sanders, Pleasant-place, Battle-bridge, Middlesex, eating-house keeper: 2s. 3½d. in the pound.—Fisher Jackson, Wellclose-square, Middlesex, pensioner of the East India Company: 15s. 6d. in the pound.—J. Pearson, Gilding Wells, Yorkshire, farmer: 2s. 3d. in the pound.—Thomas St. George Lyster, Devonshire-street, Paddington, Middlesex, captain in the army, deceased: third div. of 0½d. in the pound.

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The Jurist

No. 779—VOL. XV.

DECEMBER 13, 1851.

PRICE 1s.

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LONDON, DECEMBER 13, 1851.

A CASE has recently been argued before Sir R. Kindersley, V. C., on the merits of which, specifically, it would not be becoming in us at present to offer any observations, as it stands for judgment; but it suggests some remarks upon the general law of nuisance, which is certainly not in a very satisfactory state. The case to which we allude is that in which the complaint has been of a nuisance on the part of the defendants, consisting in the frequent ringing of chapel bells, in a Roman Catholic Chapel at Clapham, built close to the plaintiff's house. The case has peculiarities of its own, which may make it unnecessary for the Court to decide in it the broad question of what is such a nuisance as to call for an injunction; but it has been necessary in it to discuss that question, and the case may give rise to others depending less upon specific circumstances, and more on the general principle.

There is great difficulty in saying what extent or kind of annoyance amounts to such nuisance as will call for the interference of equity to restrain it, either before or after an action has been successfully brought; for it is not of course, that because an action may be sustained, therefore an injunction must be granted. "Cases may exist," said Lord Eldon in *The Attorney-General v. Nicholl*, (16 Ves. 341), "upon which this Court could not interfere, yet an action on the case might be well maintained. The wall between a man and his neighbour may belong to the one, both in respect of property and the obligation to repair, and yet the other might support an action on the case for making a window in it, or for raising the wall, but the consequence does not follow that a Court of equity has any jurisdiction."

According to the older cases, it would seem that the Court does not interfere (at least, until the fact of nuisance has been established at law) except when

there is either actual injury to health, or that extent of interference with the ordinary comfort of life that amounts to a pressure that will drive a man out of his house. And many things, such as brick-making near a man's house, which, in common understanding, are practical nuisances, were, it seems, formerly not considered the subject of equitable interference. (See *The Attorney-General v. Cleaver*, 19 Ves. 210, where the subject is much discussed). Though, as to brick-making, it has recently been decided by Knight Bruce, V. C., that it is a restrainable nuisance; and in his judgment the learned judge expressly repudiates the notion, that to constitute such nuisance there must be injury to health, laying it down as sufficient if the ordinary comfort of life is materially injured. Again: there are cases where the presence of any manufactory, in which there is a perpetual clanging of hammers, or other oppressive noise, has been held a nuisance. And, on the other hand, there are innumerable instances of noises and other annoyances, which, beyond all question, interfere very much with the comfort of life, and as to which, as no case can be found in the books, it may be assumed that, no action ever having been brought, none would lie.

No one, for instance, has ever heard of a verdict or an injunction against a man's neighbour for keeping a watch-dog, or for being addicted, professionally or otherwise, to immoderate performance of music, either vocal or instrumental, though both these things are well known to those who have suffered from them, to be destructive of a very great amount of comfort. So, the immediate vicinity of a school is universally felt to be an annoyance, most materially interfering with the comfort of life, though it is clear that no injunction would lie to restrain it. Innumerable, indeed, are the instances of annoyances so closely approaching those which are restrainable, that the distinction in quantity is scarcely measurable; and the



result is, that beyond the doctrine, that, to be a restrainable nuisance, an annoyance must, at least, very materially affect the comfort of life in a person of ordinary health, and not extraordinary fastidiousness, it is difficult to find any principle on which the lawyer can rely, to say when an annoyance is and when it is not a nuisance, in the legal sense.

With regard to the particular question, whether ringing bells, whether for religious or secular purposes, is a nuisance, it is obvious that it must be a question of quantity in each particular case. It cannot possibly be said that every minute amount of bell-ringing, however disagreeable, would be a legal nuisance, though it is quite possible to conceive a frequency of such ringing which would be equivalent to the clangour of an engineer's or an ironmonger's factory; and between these two extremes, we apprehend that in every case it would be a matter of doubt what view a jury would take of the amount of the annoyance.

—
We invite attention to the case of *Bligh v. Tredgett*, (15 Jur., part 1, p. 1101), which we think will occasion some consternation to unprofessional readers. The simple facts of that case are, that a Mr. Baker was one day surprised by the information, that a bill, in which he was nominal plaintiff, was sought to be dismissed for want of prosecution; and before he could take any step, the bill was dismissed, with costs, amounting to about 500*l.*, which Mr. Baker was required to pay. Mr. Baker was thus made liable for the costs of a suit, of the very existence of which he had been ignorant, until he received notice of the motion to dismiss it. The suit was not respecting any property in which Mr. Baker had the slightest interest. The conduct of the suit had been entirely without his sanction or knowledge. His name had been most improperly used. These facts were unquestionable, but the rule of practice was not to be relaxed from its rigidity. The decision of the Court was, that Mr. Baker must pay the costs. True, it was told him that he had his remedy against the solicitor, who had improperly used his name; but that suggestion was rather a *mauvaise plaisanterie*, for upon inquiry he had found that this gentleman had become insolvent; and, in short, as Mr. Micawber would say, was gone to America.

We wonder if our reader fully realises the hardship of this case. Let him suppose himself to be, like the greater part of his countrymen, an industrious, hard-working individual, who, at this time, is calculating whether the year's income, earned by the sweat of his brow, or, with still more difficulty, by the toil of his brain, will, after paying his Christmas bills, leave him any surplus or not. Let him imagine, that, in the midst of such a calculation, a letter is brought to him, announcing, in fair round-hand, in most legible characters, that he is liable for the expenses of a Chancery suit, of which, till then, he knew nothing, and which expenses may as probably amount to 5000*l.* as to 500*l.*; and that, upon inquiry and application to the Court of Chancery, he finds that it is literally so; and that, owing to the malpractices of another man, he has no remedy, and must pay, in addition, the costs of the application he has made against such injustice. This is

what has actually happened. Surely the sufferer must say, that, if this be the law, it is an unjust law, and should at once be altered. In no business transaction would such a possibility be suffered to exist. If a man forges a cheque on my banker, the banker, not I, must bear the loss. Should it be otherwise where a man makes unlawful use of my name as a plaintiff in a Chancery suit? Surely the injustice would be less glaring if any of the other parties, who were at least aware of the existence of the suit, should be liable to pay these costs.

The object of appointing a next friend when a married woman is plaintiff is, that the defendants may have some one to look to for the costs if the suit should fail. Of course, therefore, no man would allow himself to be named as next friend—to be made liable, possibly, for the costs of the suit—without due deliberation. It is not very unreasonable that the defendants, for whose safety the next friend is appointed, should be bound to take care that he is not named next friend without his sanction. It would be infinitely less unjust, that, if the next friend is named without his own knowledge, the defendants should bear the costs of the suit rather than he. He is only appointed for their benefit. Why should the defendants have any benefit from the appointment, if the next friend has been named without his own concurrence? Apart from the consideration of the hardship of such a case to the next friend, what right have the defendants against him? As between him and them, to make the next friend liable, for their benefit, to pay these costs under the circumstances of this case, seems to us ludicrously unjust. Are they to be protected at the expense of any one whom the solicitor of the plaintiff may choose to name as next friend? Is it too much to expect that defendants, for whose advantage only the next friend is appointed, should be bound to take care that he is aware of and sanctions the use of his name, and the liability thereby imposed upon him?

Other remedies might be suggested, as, for example, that the plaintiff's solicitor should be bound to file, together with the bill, a written authority, signed by the next friend, that his name should be placed on the record. We rather incline to the more obvious course we first suggested, of obliging the defendants to take care that the next friend is not named without his sanction, in order to entitle themselves to the benefit of his appointment. Whatever be the remedy, we trust that a rule of practice, which may cause such unparalleled hardship, will not long remain unreformed. No vigilance could secure a man against the possibility of being thus victimised. The same thing might happen to any of us. Even the judges themselves are not exempt from the danger.

A late church dignitary, whose good things live in every one's recollection, thought it not an impious aspiration, for the benefit of the travelling public, that in the next railway accident that occurred a bishop might be roasted. We cannot help thinking that this rule of practice would soon be amended if the victim of it had been some person of legal consideration equally high.

ERRATUM.—In the list of Gentlemen called to the Bar by the Society of the Inner Temple, (ante, p. 430), for "William Sharp Joyce, Esq.," read "William Joyce, Esq."

Abstracts.

Official Investigation of Titles. Outlines of a Plan for Establishing and Reducing the Expense of verifying Titles to Landed Property, by Means of their Official Investigation and Certification. By HENRY TYRWHITT FRENCH, Barrister at Law. Second Edition. 8vo. Pp. 28. [Benning.]

MR. FRENCH'S plan was first published when the speedy establishment of a general register of assurance was not expected, and it was then intended as a substitute for a general register. But it is now recommended as a useful auxiliary to the scheme of the Real Property Commissioners, having for its object the settlement of titles in a much shorter period than that which must be allowed for the complete operation of a general register, and the simplifying of titles to a degree which can never be attained by any mere register of assurance.

Mr. French proposes that the Legislature should appoint a board of paid commissioners, sworn to secrecy, whose duty it should be to examine such titles as are voluntarily submitted to them; and, as the result of their examination, grant a sealed certificate, [i. e., we presume, under their seal—not sealed up], descriptive of the precise state of all the then existing estates, rights, and interests, both legal and equitable, in the land; for which purpose the applicant will be required to produce to them and verify a complete abstract of the title.

That a certificate, limited to the declaration of particular estates and interests, may be granted.

That the intention to certify a title shall be advertised, and after five years allowed to third parties to come in and prove their title, the certificate shall be conclusive on all persons.

That the commissioners may obtain the opinion of the judges on doubtful points of law, and direct issues to be tried, allowing counsel to appear for parties possibly interested.

That the costs of obtaining the certificate be paid by the applicant; or if he be a trustee, or have a life interest, be charged on the land.

Mr. French then states the more important and immediate benefits which he expects to be derived from the possession of a certificate of title.

"I. To obviate the necessity of a perusal of the title previously to a disposition of land, with a view to the preparation of special conditions of sale.

"II. To enhance the market value of land on sales most importantly, by reason of its not being sold subject to special conditions, (which not unfrequently have a most depreciating effect), and by the certainty, consequent on the absence of special conditions, that the purchaser will be put in the possession of a good title.

"III. To reduce materially the expenses of all parties, both transferors and transferees, on all sales, mortgages, and other similar transactions, and particularly, on the intended sale of an entire estate in lots, to diminish the number and length of the abstracts required.

"IV. To prevent the needless accumulation of a mass of old sheepskins, which, under the present system, are carefully preserved long after they have ceased to be of any value, under the apprehension that their production may one day or other be necessary.

"V. To afford peculiar facilities for contracting temporary loans on the security of what are termed equitable mortgages; that is, a deposit with the lender of the muniments of the borrower's title, and an accompanying memorandum stating the object of the deposit.

"And lastly, if the plan of certification be accompanied by a general register, to fix or ascertain a time

'at which backward searches in such register will cease to be requisite.'

Mr. French relies on the example of the Irish Incumbered Estates Commission for proof of the practicability of his scheme, and vindicates its policy by the observation that the certification is proposed to be voluntary, and not compulsory. But we fear that that peculiarity will destroy the value of the Irish commission as a precedent. The proceedings under the Irish commission are not voluntary, or rather the option of originating them is given to those only who are certain to exercise it. But we think that proceedings under Mr. French's commission would seldom or never be taken, because they would seldom produce any advantage to the party initiating them. At present any one may obtain an opinion on his title, on which he can rely, if he will go to the expense of preparing an abstract, collecting his proofs, and laying the whole before an able conveyancer. But the owner of an estate seldom has any curiosity or any doubt about his own title, and he only has it investigated when he is about to sell, or, in rare cases, when he is about to mortgage it. When the owner of an estate has his title investigated preparatory to a sale, his object is not to learn whether his title is safe or not, for of that in almost every case he has no doubt; nor even to learn whether it is marketable in the strict sense of the term, for it is one of the triumphs of the modern practice of conveyancing that an unmarketable title may be sold as advantageously as if it were strictly marketable. The intending vendor goes to his counsel, not so much that he may discover blots, as that he may cover those which are patent—not that he may exhaust every possible source of evidence and information for the purpose of throwing light on the title, but that he may draw such conditions of sale as will prevent the purchaser from calling for evidence which it may be impossible, or expensive, or inexpedient to procure or to produce, and from making such objections and requisitions as an unprejudiced and unfettered investigation would infallibly make. He lays before his counsel an abstract of the documentary evidence known to him, distinguishing that in his possession from that which he can only produce with trouble and expense, if at all; and he says, "Protect me from being required to produce more than I now have." The object, then, of a prudent vendor in having his title "investigated," as it is called, is not the object which Mr. French's commissioners would have in investigating it; his object is simply to save expense and trouble, and to save his title at all risks, and it would be frustrated in almost every case by a resort to the commissioners, who, having to declare impartially the rights of all parties, would certainly give much more trouble and occasion much more expense than a purchaser, even unfettered by conditions, seeking merely assurance of his own safety. Nor would this disadvantage be attended by any equivalent, for the result would be, for the vendor's purposes, nothing more than an opinion on the title. During five years the title would remain open to question, and the vendor who wishes to sell at once, and has not made preparation five years before the exigency arrives, will have nothing to offer to a purchaser but a certificate of official opinion, of far less value, we should think, than an opinion given under the sense of professional responsibility, and founded on an investigation conducted under the like or even a more active stimulus. The *advocatus diaboli* was never known to make a very earnest fight. The certificate in five years may ripen into a title, but in the meantime it may be upset by proof of fraud, suppression, mistake, &c., of the probability of which the purchaser cannot judge when he bids, nor at all without making the same investigation which he would make if the certificate did not exist.

Intending vendors, then, are not likely to resort to the

commission. Will purchasers? We think not, if the vendors have been alive to their own interests. Probably, on the establishment of such a commission, it would become a common condition of sale that the purchaser should not resort to it, at least before completion of the purchase; but without such a stipulation the ordinary conditions of sale would be sufficient to prevent any application to it; they are generally so restrictive, that if their possible operation were clearly expounded in the sale-room, the disclosure would drive away all but the most sanguine and courageous speculators; and they are almost always so framed as utterly to exclude that searching investigation which would be essential to justify a certificate operating more violently than even a fine, when the bar by fine and five years' non-claim was possible.

The chance of business for the commissioners from mortgagees does not seem to be much greater. For though in the arrangement of a mortgage the borrower has no hold by contract over the lender, and the lender, having all his costs paid by the borrower, has every inducement to seek the best possible assurance of a good title without regard to expense, yet, (not to speak of the delay attending an official investigation of title, which will often be equally objectionable to the borrower and to the lender), as practically loans are now procured on mortgage without the protection of a certificate, and without any allowance being made by way of insurance against the risk of a bad title—and competition exists among lenders as well as among borrowers—it is obvious that the cases in which capitalists would be able to persuade their mortgagors to consent to an expensive official investigation of title must be few and exceptional.

For these reasons we are unable to agree with Mr. Frenn, and the many able conveyancers who, he says, approve of his plan, in thinking that it is capable of being brought into beneficial operation, even if the great postulatam with which it starts should be conceded, namely, the committing to the judgment of any body of men the power of deciding on the rights of absent parties upon a mere *ex parte* statement. G. S.

MICHAELMAS TERM, 1851.

The Judges, on the 13th January in the present year, referred to us to consider and report what are the proper Regulations to be made as to the production and proof of Records. We recommend that no Order of a Court or a Judge for the issuing a subpoena duces tecum, when an original record is required, be made, unless the Court or Judge be satisfied that there is good reason for requiring the original record; and that no such subpoena be issued until such Order has been produced to the officer issuing the same, and filing with him, and until the writ has been made conformable to the description of the document contained in such Order.

(Signed) WILLIAM ERLE, for himself,
and Mr. Baron PLATT, and
Mr. Justice TALFOURD.

Confirmed by the Judges,
Nov. 3, 1851.

Signed—SAMUEL MARTIN.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—Joseph Dodds, of Stockton-upon-Tees, Durham; Benjamin Hadley Sanders, of Bromsgrove, Worcestershire; and George Frederick Lowrey, of North Shields, Northumberland.

London Gazette.

TUESDAY, DECEMBER 9.

BANKRUPTS.

ALDBOROUGH RICHARDSON DAVIES, New-court, Bow-lane, London, wine merchant, dealer and chapman, Dec. 19 and Jan. 20 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Cooper & Gall, Verulam-buildings, Gray's-inn.—Petition filed Dec. 5.

JOHN BATES, Highgate and Finchley-road, Middlesex, plumber, painter, glazier, dealer and chapman, Dec. 19 at half-past 11, and Jan. 20 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Field, Finchley.—Petition filed Dec. 5.

THOMAS ALFRED YOUNG, late of Exeter-st., Sloane-street, Chelsea, Middlesex, but now of Woolwich, Kent, wine and spirit merchant, Dec. 19 at 12, and Jan. 15 at 2, Court of Bankruptcy, London: Off. Ass. Bell; Sol. Hodgkinson, 17, Little Tower-street, London.—Petition filed Dec. 8.

WILLIAM NASH, Noble-st., London, woollen warehouseman, dealer and chapman, Dec. 19 and Jan. 23 at 11, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Blackburn, Leeds, Yorkshire; Bell & Co., 9, Bow-church-yard, London.—Petition filed Dec. 1.

RICHARD BILLING, Reading, Berkshire, builder, Dec. 19 at half-past 12, and Jan. 16 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Gregory & Co., 1, Bedford-row, London; J. J. Blandy.—Petition filed Dec. 5.

CHARLES JOHN POWELL, Kingston-upon-Thames, Surrey, draper, Dec. 23 at 2, and Jan. 20 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Jay & Pilgrim, Norwich; Jay, 14, Bucklersbury.—Petition filed Dec. 8.

THOMAS FRAY, Wigan and Manchester, check manufacturer, dealer and chapman, Dec. 2 and 30 (and not the 13th, as before advertised) at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Mayhew, Wigan, Lancashire.—Petition filed Nov. 12.

THOMAS BIRCH, Chorlton-upon-Medlock, Manchester, common brewer, dealer and chapman, Dec. 19 and Jan. 16 at 11, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sol. Binney, Manchester.—Petition filed Dec. 2.

ISAAC ORRELL, Radcliffe, Lancashire, cotton manufacturer, (late carrying on business at Radcliffe, and also at Manchester, in co-partnership with John Entwistle, under the style or firm of John Entwistle & Isaac Orrell), Dec. 23 and Jan. 16 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Worthington & Earle, Manchester.—Petition filed Dec. 1.

JOSEPH STOREY, Hartlepool, Durham, draper, Dec. 24 at 12, and Jan. 23 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sol. Harle, Newcastle-upon-Tyne, and 20, Southampton-buildings, Chancery-lane.—Petition filed Dec. 2.

RICHARD FOWKE, Wolverhampton, Staffordshire, chemist and druggist, Dec. 22 and Jan. 15 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Sparrow, Wolverhampton; Motteram & Co., Birmingham.—Petition dated Dec. 2.

SAMUEL LITCHFIELD, Birmingham, druggist and grocer, Dec. 23 and Jan. 13 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Chaplin & Co., Birmingham.—Petition dated Dec. 8.

WILLIAM TOMLINSON the younger, Hinckley, Leicestershire, draper, mercer, dealer and chapman, Dec. 23 and Jan. 17 at 1, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Cowdell, jun., Hinckley; Smith, Birmingham.—Petition dated Dec. 4.

JOHN CHILD and WILLIAM BARKER, Wakefield, Yorkshire, railway contractors, builders, and coal merchants, Jan. 8 and Feb. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Westmorland & Taylor, Wakefield; Eastwood, Todmorden.—Petition dated and filed Dec. 3.

ISAAC NORMINGTON, Bradford, Yorkshire, stuff manufacturer, Dec. 19 and Feb. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sol. Lee, Leeds.—Petition dated and filed Dec. 5.

ROBERT WELSH, Huddersfield, Yorkshire, woollen cloth merchant, dealer and chapman, Jan. 8 and Feb. 5 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Robinson, and Barker, Huddersfield; Bond & Barwick, Leeds.—Petition dated and filed Dec. 5.

CHARLES WARD, Liverpool, miller, Dec. 19 and Jan. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Evans & Son, Liverpool.—Petition filed Dec. 8.

JOHN FLEETWOOD, Liverpool, grocer and provision dealer, dealer and chapman, Dec. 19 and Jan. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Godfrey, Liverpool.—Petition filed Dec. 4.

GEORGE PRIDE, DAVID JONES, and JOHN GIBB, Liverpool, sail makers, ship chandlers, commission merchants, and shipowners, (carrying on business under the firm of Pride & Jones), Dec. 24 and Jan. 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Davenport & Collier, Liverpool.—Petition filed Dec. 5.

MEETINGS.

L. Alexander and W. Bardgett, Old Broad-street, London, merchants, Dec. 20 at 2, Court of Bankruptcy, London, ch. ass.—**Wm. Powell**, Jefferys-street, Camden-town, Middlesex, builder, Dec. 17 at 11, Court of Bankruptcy, London, last ex.—**F. W. Saunders**, Thame, Oxfordshire, harness maker, Dec. 19 at 12, Court of Bankruptcy, London, last ex.—**William Brunsell and Chas. Brunsell**, deceased, Paternoster-row, London, and York-place, Battersea, Surrey, silk manufacturers, Dec. 19 at 2, Court of Bankruptcy, London, aud. ac.; Jan. 2 at half-past 11, div.—**John R. Taylor**, Chancery-lane, and Red Lion-square, and Cannon-row, Westminster, Middlesex, stationer, Dec. 19 at half-past 11, Court of Bankruptcy, London, aud. ac.—**Wm. Congreve**, Spalding, Lincolnshire, corn merchant, Dec. 19 at 12, District Court of Bankruptcy, Nottingham, (and not at Birmingham, as before advertised), aud. ac.—**John Crothwaite**, Liverpool, merchant, Dec. 19 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—**John Midgley**, Kingston-upon-Hull, carpenter, Dec. 31 at 12, District Court of Bankruptcy, Kingston-upon-Hull, aud. ac.—**S. Churchill**, Deddington, Oxfordshire, scrivener, Jan. 1 at 11, Court of Bankruptcy, London, div.—**C. Salter and R. Morris Evans**, Upper King-street, Bloomsbury, and Cornhill, London, tailors, Dec. 30 at 12, Court of Bankruptcy, London, div. joint est., and div. sep. est. of **Charles Salter**.—**Wm. Walker**, Saltmarsh Grange, Howden, and Eastington, Yorkshire, sacking manufacturer, Jan. 7 at 12, District Court of Bankruptcy, Kingston-upon-Hull, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Andrew Clark, Bear-gardens, Southwark, Surrey, plumber, Dec. 30 at 12, Court of Bankruptcy, London.—**T. Goddard**, Derby, brush manufacturer, Jan. 9 at 12, District Court of Bankruptcy, Nottingham.—**John Fletcher**, Netherton, Dudley, Worcestershire, publican, Jan. 17 at 1, District Court of Bankruptcy, Birmingham.—**Wm. Hackett**, Leicester, dealer in pianofortes, Jan. 9 at 12, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

James T. Hobson, Wellingborough, Northamptonshire, coal merchant.—**W. Bedford**, Fen Drayton, Cambridgeshire, publican.—**George E. Baker**, Broadway, Deptford, Kent, grocer.—**John Whitehead**, Blackburn, Lancashire, machine maker.—**G. N. Manzavino**, Manchester, merchant.—**T. Hailston**, Wheelock, Cheshire, grocer.—**John Lilley and A. Ashmall**, Liverpool, merchants.

SCOTCH SEQUESTRATIONS.

Wm. Miller, Rutherglen, baker.—**Robert Gardner**, Glasgow, grocer.—**D. and A. Denny & Co.**, Glasgow, merchants.—**James Gou**, Partick, victual dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Joseph Bullon, Landport, Portsea, Southampton, boat-builder, Dec. 26 at 10, County Court of Hampshire, at Portsmouth.—**George Drew**, Portsea, Southampton, grocer's assistant, Dec. 26 at 10, County Court of Hampshire, at Portsmouth.—**J. Cumberlidge**, Congleton, Cheshire, licensed

hawker, Dec. 16 at 10, County Court of Cheshire, at Congleton.—**John Winch Bowler**, Gaywood, Norfolk, out of business, Dec. 17 at 4, County Court of Norfolk, at King's Lynn.—**George Frost**, Coventry, machinist, Dec. 23 at 12, County Court of Warwickshire, at Coventry.—**William Bashford**, Brighton, Sussex, coachmaker, Dec. 19 at 12, County Court of Sussex, at Brighton.—**William Lloyd**, Madeley, Staffordshire, grocer, Dec. 29 at 1, County Court of Staffordshire, at Newcastle-under-Lyne.—**Robert Knights**, Snape, Suffolk, coal merchant, Dec. 19 at 10, County Court of Suffolk, at Framlingham.—**John Bradshaw**, Brandeston, Suffolk, blacksmith, Dec. 19 at 10, County Court of Suffolk, at Framlingham.—**George Mills**, Aldeby, Norfolk, cordwainer, Dec. 16 at 12, County Court of Suffolk, at Beccles.—**Jonathan Rayner**, Wortwell, Norfolk, labourer, Dec. 15 at 1, County Court of Norfolk, at Harleston.—**James Knights**, Snape, Suffolk, wheelwright, Dec. 19 at 10, County Court of Suffolk, at Framlingham.—**George Marjoram**, Framlingham, Suffolk, innkeeper, Dec. 19 at 10, County Court of Suffolk, at Framlingham.—**Henry Lock**, Landport, Portsea, Southampton, assistant surveyor of highways, Dec. 26 at 10, County Court of Hampshire, at Portsmouth.—**William Page**, Hatton, Warwickshire, shoemaker, Dec. 22 at 2, County Court of Warwickshire, at Warwick.—**John Beaumont**, **Adam Beaumont**, and **Henry Beaumont**, Huddersfield, Yorkshire, out of business, Dec. 26 at 10, County Court of Yorkshire, at Huddersfield.—**William Brown**, Hastings, Sussex, hairdresser's assistant, Dec. 29 at 11, County Court of Sussex, at Hastings.—**James Locke**, Brighton, Sussex, bottle merchant, Dec. 19 at 12, County Court of Sussex, at Brighton.—**John Gains Browne**, Brighton, Sussex, shoemaker, Dec. 19 at 12, County Court of Sussex, at Brighton.—**Anna Conquer**, widow, Brighton, Sussex, out of business, Dec. 19 at 12, County Court of Sussex, at Brighton.

The following Person, who, on his Petition filed in the Court, has obtained an Interim Order for Protection from Process, is required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Dec. 23 at 11, before the CHIEF COMMISSIONER.

Ebenezer Edward Coleman, Princess-street, Notting-hill, Middlesex, plumber.

Saturday, Dec. 6.

The following Assignee has been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

George Burney, Falmouth, Cornwall, master in the Royal Navy, No. 32,316 C.; **Samuel Stargis**, new assignee in the room of **George Dunning**, deceased.

Saturday, Dec. 6.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

Edward Goulder, Sydenham-grove, Lower Norwood, Surrey, carpenter: in the Gaol of Horsemonger-lane.—**Robert Beck**, Park-place, Kennington, Surrey, hairdresser: in the Debtors Prison for London and Middlesex.—**Henry Rickett**, Hornsey, Middlesex, retailer of beer: in the Debtors Prison for London and Middlesex.—**Fred. Wm. Wilson**, Gloucester-place, Kentish-town, Middlesex, collector: in the Debtors Prison for London and Middlesex.—**Jas. Allan**, Grosvenor-park-terrace, Beresford-st., Camberwell, Surrey, lithographer: in the Debtors Prison for London and Middlesex.—**Geo. Sidey**, Henry-st., St. John's-wood, Middlesex, ironmonger: in the Debtors Prison for London and Middlesex.—**Robert Dunnell Sterry**, Queen's-road, Bermondsey, Surrey, retailer of beer: in the Queen's Prison.—**Henry Fletcher**, Ann-st., Pentonville, Middlesex, carpenter: in the Debtors Prison for London and Middlesex.—**Thos. Callow**, Mary-st., Fairfield-road, Bow, Middlesex, brass founder: in the Queen's Prison.—**Christian Henry Heier**, Nelson-st., New-road, Commercial-road East, Middlesex, tailor: in the Queen's Prison.—**Thos. Bramston**, Jealous-row, New-road, St. George's-in-the-East, Middlesex, builder: in the Debtors Prison for London and Middlesex.—**Jas. Atkins** the younger, Bedford-place, Vauxhall-bridge-road, Middlesex, cook: in the Debtors Prison for London and Middlesex.—**John Woods**, Bartholomew-close, London,

engraver: in the Debtors Prison for London and Middlesex.—*Michael Gashion*, Cross-street, Hutton-garden, Middlesex, iron broker: in the Queen's Prison.—*John Duncan*, Manchester, cabinet maker: in the Gaol of Lancaster.—*John Horbury*, Liverpool, broker: in the Gaol of Lancaster.—*C. Peat*, Bolton-le-Moors, Lancashire, beer-seller: in the Gaol of Lancaster.—*John Stewart*, Toxteth-park, Liverpool, blacksmith: in the Gaol of Lancaster.—*Geo. Smyth*, Birkenhead, Cheshire, tile manufacturer: in the Gaol of Chester.—*Cotton Acutt*, Birmingham, retailer of ale: in the Gaol of Coventry.—*Samuel Henry Wright*, Conesbro', near Doncaster, Yorkshire, merchant's clerk: in the Gaol of York.—*Humphrey Wolferstan*, Steyning, Sussex, chemist: in the Gaol of Lewes.—*Herbert Sawyer Draper*, Gosport, Hampshire, farmer: in the Gaol of Winchester.—*William Andrews*, Water Heyes, Wigan, Lancashire, coal proprietor: in the Gaol of Lancaster.—*Wm. Broad*, New Brighton, Cheshire, corn dealer: in the Gaol of Chester.—*Morris Jones*, Festinlog, Merionethshire, labourer: in the Gaol of Dolgelly.—*James Harrison*, Gisburn, near Skipton, Yorkshire, cattle dealer: in the Gaol of York.—*Charles Gibbons Matthews*, Little Dean Hill, Gloucestershire, collier: in the Gaol of Gloucester.—*Thos. Wassell*, Landport, Portsea, Hampshire, shipwright in her Majesty's Dockyard, Portsmouth: in the Gaol of Portsmouth.—*George Kirk*, Middlesbrough, Yorkshire, surgeon: in the Gaol of York.—*John Stevenson*, Rotherham, Yorkshire, bookkeeper: in the Gaol of York.—*Wm. Stevenson*, Ickles Mills, Brinsworth, near Rotherham, Yorkshire, corn miller: in the Gaol of York.—*Geo. Moody*, Hopton-in-Mirfield, near Dewsbury, Yorkshire, woodman: in the Gaol of York.—*John Antram* the younger, Brighton, Sussex, fruit salesman: in the Gaol of Lewes.—*John Banks Gulliford*, Brighton, Sussex, fruit salesman: in the Gaol of Lewes.—*Moses Shallcross*, Brighton, Sussex, town carter: in the Gaol of Lewes.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Dec. 23 at 11, before the CHIEF COMMISSIONER.

Frank Webb, Maismore-square, New Peckham, Surrey, clerk to a wine merchant.—*Stewart Roberts Barr*, Woolwich, Kent, baker.—*Jas. Geo. Cooley*, Milton-st., Chiswell-st., Middlesex, hot presser.—*Thomas Callow*, Mary-street, Fairfield-road, Bow, Middlesex, out of business.

Adjourned Case.

James Barker, Throgmorton-street, London, bookseller and newspaper agent.

Dec. 23 at 10, before Mr. Commissioner LAW.

Henry Goddard, St. Oswald's-place, Vauxhall-gardens, Vauxhall, Surrey, out of business.—*Edward Goulder*, Sydenham-grove, Lower Norwood, Surrey, carpenter.—*J. Walker Ellis*, Arbour-terrace, Commercial-road East, Middlesex, out of business.—*Wm. Money*, Myddleton-square, Clerkenwell, Middlesex, clerk.—*Robert Read*, Graham-st., London, commission agent.

Dec. 23 at 11, before Mr. Commissioner PHILLIPS.

Leonard Collins, High-st., Hoxton Old-town, Middlesex, ammonia distiller.—*Jas. Thomas Atkins* the younger, Deverell-st., Dover-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at COVENTRY, Dec. 23 at 12.

Edward Howe, Chilvers Coton, near Nuneaton, tailor.—*Cotton Acutt*, Birmingham, in no business.

At the County Court of Gloucestershire, at GLOUCESTER, Dec. 24 at 10.

Charles Gibbons Matthews, Little Dean Hill, Dean Forest, collier.

At the County Court of Gloucestershire, at BRISTOL, Dec. 31 at 11.

Ryce Davies, Bristol, agent to a brewer.

INSOLVENT DEBTOR'S DIVIDEND.

Henry Pope, Clement's-lane, Strand, licensed victualler, Alleyne & Co.'s, Tunbridge Wells, Kent: 7s. 9d. in the pound, (and not 11s., as heretofore advertised).

FRIDAY, DECEMBER 12.

BANKRUPTS.

CHARLES JAMES SANDERS, Collingwood-st., Blackfriars-road, Surrey, provision merchant, Dec. 19 and Jan. 22 at 1, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Lawrance & Co., Frederick-place, Old Jewry.—Petition filed Dec. 9.

JAMES MASH, Colchester, Essex, draper, dealer and chapman, Dec. 16 and Jan. 20 at 1, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Mardon & Prichard, Christchurch-chambers, Newgate-street.—Petition filed Dec. 3.

THOMAS SALKELD, Basinghall-st., London, warehouseman, dealer and chapman, Dec. 27 and Jan. 24 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Sale & Co., Manchester; Reid & Co., Friday-st., Cheapside.—Petition dated Dec. 6.

WILLIAM MASHMAN, Charlotte-street, Portland-place, Middlesex, carpenter and builder, dealer and chapman, Dec. 27 and Jan. 24 at 1, Court of Bankruptcy, London: Off. Ass. Pennell; Sol. Greatorex, 58, Chancery-lane.—Petition dated Dec. 9.

FREDERICK PEGLER, Hampton, Middlesex, grocer and cheese-monger, Dec. 23 at 12, and Jan. 20 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Dods, 102, St. Martin's-lane, Charing-cross.—Petition filed Dec. 4.

CHARLES HENRY GAUSDEN, Hove, Sussex, licensed victualler, dealer and chapman, Dec. 23 at half-past 11, and Jan. 20 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Messrs. Linklater, 17, Sise-lane, London.—Petition filed Dec. 10.

JOHN BILL, Wolverhampton, Staffordshire, hinge manufacturer, dealer and chapman, Dec. 22 and Jan. 15 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Bolton, Wolverhampton; E. & H. Wright, Birmingham.—Petition dated Dec. 6.

THOMAS PENROSE DIXON, Falmouth, Cornwall, printer and stationer, dealer and chapman, Dec. 23 and Jan. 15 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernamen; Sols. Bullmore, Falmouth; Stogdon, Exeter.—Petition filed Dec. 4.

EDWIN FOWLER, Bristol, and Pontypool, Monmouthshire, draper and tailor, dealer and chapman, Dec. 29 and Jan. 26 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Hutton; Sols. Brittan, Bristol; Jones, Sise-lane, London.—Petition filed Dec. 8.

HENRY SHAW, Houses-bill, near Huddersfield, and **HENRY GARTHWAITE**, Mold-green, near Huddersfield, Yorkshire, fancy manufacturers, (under the firm of Henry Shaw & Co.), Jan. 9 and 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. J. P. & W. Sutcliffe, Hebden-bridge; Bond & Barwick, Leeds.—Petition dated and filed Nov. 29.

ROBERT NORRIS, Beverley, Yorkshire, innkeeper, dealer and chapman, Jan. 7 and 28 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Robinson & Atkinson, Beverley.—Petition dated Nov. 25.

ISAAC HODGKINSON, (otherwise BRADSHAW), Bolton-le-Moors, Lancashire, ironfounder, dealer and chapman, (carrying on business with Jeremiah Marsden, and trading under the firm of Hodgkinson & Marsden), Dec. 30 and Jan. 20 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Radcliffe, Liverpool.—Petition filed Dec. 2.

WILLIAM NEIL MONIES, Liverpool, Lancashire, spirit and wine merchant, and **JAMES RICHARDSON** the younger, Glasgow, Lanarkshire, Scotland, agent and commission merchant, (carrying on the business of spirit and wine merchants at Liverpool, under the style or firm of W. Neil Monies), Dec. 22 at 12, and Jan. 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Yates, jun., Liverpool.—Petitions filed Dec. 5 and 10.

MEETINGS.

Thos. Pottinger, Island of Jersey, *Henry Howell*, Charles-street, Manchester-square, and *Alex. Oswald*, Adelaide-row, Hampstead, Middlesex, merchants, Jan. 2 at 11, Court of Bankruptcy, London, pr. d. sep. est. of *T. Pottinger*.—*J. Westley*, Playhouse-yard, London, bookbinder, Dec. 23 at 11, Court of Bankruptcy, London, and. ac.—*Jacob Meane* and *Wm. Meane*, Brighton, Sussex, brewers, Dec. 23 at 1, Court

of Bankruptcy, London, aud. ac.—*Francis Dawson*, Great Yarmouth, Norfolk, draper, Jan. 1 at 1, Court of Bankruptcy, London, aud. ac.—*Charles Cooper*, High-street, Wandsworth, Surrey, grocer, Jan. 1 at 2, Court of Bankruptcy, London, aud. ac.—*Henry Pamment*, Penton-street, Pentonville, Middlesex, cheesemonger, Jan. 2 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Evans*, Paddington-green, Middlesex, nurseryman, Jan. 8 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Hartridge*, Milton, next Sittingbourne, Kent, draper, Jan. 6 at 11, Court of Bankruptcy, London, aud. ac.—*Jacob Dove*, Leeds, carrier, Jan. 12 at 12, District Court of Bankruptcy, Leeds, aud. ac.; Jan. 13 at 12, div.—*Saml. Archer*, Rochdale, Lancashire, woollen manufacturer, Dec. 30 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Richard Brumwell*, Halifax, Yorkshire, draper, Dec. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.; Jan. 13 at 12, div.—*Wm. Crankshaw*, Colne, Lancashire, cotton spinner, Dec. 23 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Henry Boydel* and *Thomas Williams*, Liverpool, and Birkenhead, Cheshire, timber merchants, Dec. 22 at 11, District Court of Bankruptcy, Liverpool, aud. ac. joint est., and aud. ac. sep. est. of *H. Boydel*.—*G. H. St. Clair*, Birmingham, pawnbroker, Dec. 30 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*Geo. T. Minor*, Mount-street, Westminster-road, Lambeth, Surrey, linen-draper, Jan. 2 at 12, Court of Bankruptcy, London, div.—*John Richards*, George-yard, Lombard-street, London, metal broker, Jan. 2 at half-past 11, Court of Bankruptcy, London, div.—*Randal Acres* the younger, Puckeridge Braughing, Hertfordshire, innkeeper, Jan. 2 at 12, Court of Bankruptcy, London, div.—*John Barker*, Exmouth-street, and Pleasant-row, Clerkenwell, Middlesex, cheesemonger, Jan. 3 at 11, Court of Bankruptcy, London, div.—*Thomas Edw. Slate*, King's Head-court, London, and Hatton-garden, Middlesex, bookbinder, Jan. 3 at 11, Court of Bankruptcy, London, div.—*Rich. Keeping*, Ryde, Isle of Wight, Southampton, watchmaker, Jan. 2 at half-past 1, Court of Bankruptcy, London, div.—*John Limbird*, Strand, Middlesex, stationer, Jan. 2 at half-past 1, Court of Bankruptcy, London, div.—*W. Phesse*, Covent-garden Market, Middlesex, licensed victualler, Jan. 3 at 1, Court of Bankruptcy, London, div.—*R. Middlewood* and *Allen Foster*, Leeds, Yorkshire, linendrapers, Jan. 3 at half-past 12, Court of Bankruptcy, London, div. joint est., and div. sep. est. of *Allen Foster*.—*Manns Feeny* and *John Gard*, St. Martin's-lane, Middlesex, woollen drapers, Jan. 3 at 12, Court of Bankruptcy, London, div.—*Thomas Harrison*, Addie-street, London, agent, Jan. 3 at half-past 11, Court of Bankruptcy, London, div.—*Adolf Heilbronn* and *John Harrison*, Great St. Helen's, London, drysalers, Jan. 2 at half-past 1, Court of Bankruptcy, London, div.—*S. C. Beestall* and *Wm. Malher*, High-street, Kensington, Middlesex, linendrapers, Jan. 2 at 1, Court of Bankruptcy, London, div.—*Jas. Law*, Birkenhead, Cheshire, bookseller, Jan. 2 at 11, District Court of Bankruptcy, Liverpool, div.—*George Pim* and *S. Pim*, Birkenhead, Cheshire, merchants, Jan. 2 at 11, District Court of Bankruptcy, Liverpool, div. sep. est. of *G. Pim*.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

John Wall and *Thomas Y. Wall*, Chatham, Kent, brewers, Jan. 2 at 1, Court of Bankruptcy, London.—*Wm. Strange* the younger, Paternoster-row, London, bookseller, Jan. 3 at 12, Court of Bankruptcy, London.—*Thos. Davey* the younger, Halstead, Essex, builder, Jan. 2 at 11, Court of Bankruptcy, London.—*Frederick Water Froggell* and *James Van Pulten*, Mark-lane, London, corn merchants, Jan. 6 at half-past 12, Court of Bankruptcy, London.—*Allen Colyer* the younger, Dover, Kent, jeweller, Jan. 2 at 12, Court of Bankruptcy, London.—*John T. Cole*, Thorpe-le-Soken, Essex, auctioneer, Jan. 8 at 2, Court of Bankruptcy, London.—*James Parkins*, Cheap-side, London, clothier, Jan. 3 at 12, Court of Bankruptcy, London.—*Owen Bowen* and *Alexander Gibson*, Lower Mitcham, Surrey, calico printers, Jan. 3 at 11, Court of Bankruptcy, London.—*Edward Teague* the younger, Little Dean, Woodside, East Dean, Gloucestershire, grocer, Jan. 19 at 11, District Court of Bankruptcy, Bristol.—*J. Whitaker* and *Joseph Crowther*, Buslingthorpe, near Leeds, Yorkshire, stuff dyers, Jan. 13 at 11, District Court of Bankruptcy, Leeds.—*Joseph H. O. Wilson*, Burton, Lonsdale, Yorkshire,

draper, Jan. 19 at 12, District Court of Bankruptcy, Leeds.—*Thomas Wilson*, Lanciliffe, Yorkshire, draper, Jan. 19 at 12, District Court of Bankruptcy, Leeds.—*J. Dove*, Leeds, Yorkshire, currier, Jan. 12 at 12, District Court of Bankruptcy, Leeds.—*George Pim* and *Sylvanus Pim*, Birkenhead, Cheshire, merchants, Jan. 2 at 11, District Court of Bankruptcy, Liverpool.—*Edward Hindley*, Liverpool, coal merchant, Jan. 5 at 11, District Court of Bankruptcy, Liverpool.—*Henry Canniford*, Ottery St. Mary, Devonshire, innkeeper, Jan. 14 at 1, District Court of Bankruptcy, Exeter.—*John Maberly Benfield*, Devonport, and *John Lewis*, Bristol, wine merchants, Jan. 14 at 1, District Court of Bankruptcy, Exeter.—*Edward Lacey*, Birmingham, glass dealer, Jan. 7 at 12, District Court of Bankruptcy, Birmingham.—*Thomas Bray*, Haseley, Warwickshire, miller, Jan. 7 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Carter, Manchester-terrace and Upton-villas, Kilburn, Middlesex, builder.—*Richard Isomonger* and *Piercy Isomonger*, Littlehampton, Sussex, merchants.—*Alexander Honeyman*, Creek-road, Deptford, Kent, builder.—*J. Watson*, Skipton, Yorkshire, linendraper.—*Hodgson Lewis* and *James Hervey*, Halifax, Yorkshire, spirit merchants.

PARTNERSHIP DISSOLVED.

R. Darlington and *Thomas F. Taylor*, Wigan, Lancashire, attornies, solicitors, and receivers.

SCOTCH SEQUESTRATION.

Andrew Thom, Glasgow, saddlers' ironmonger.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Samuel Cliffe, Birmingham, out of business, Dec. 20 at 10, County Court of Warwickshire, at Birmingham.—*William Griffiths*, Birmingham, grocer, Dec. 20 at 10, County Court of Warwickshire, at Birmingham.—*John Hill*, Birmingham, cabinet maker, Dec. 20 at 10, County Court of Warwickshire, at Birmingham.—*Charles Clinton*, Birmingham, grocer, Dec. 20 at 10, County Court of Warwickshire, at Birmingham.—*Joseph Knight*, Birmingham, packing-box maker, Jan. 17 at 10, County Court of Warwickshire, at Birmingham.—*John Farley* the younger, Hand Cross, near Crawley, Sussex, dealer in wood, Jan. 1 at 12, County Court of Sussex, at Cuckfield.—*Timothy Tribe*, Wisborough-green, near Petworth, Sussex, blacksmith, Dec. 26 at 12, County Court of Sussex, at Petworth.—*William Twisdale*, West Butterwick, Lincolnshire, brickmaker, Jan. 12 at 10, County Court of Lincolnshire, at Gainsborough.—*John Turner*, Finthwaite, Colton, Lancashire, farmer, Dec. 24 at 9, County Court of Lancashire, at Ulverston.—*Ellis Jones*, Chester, coal dealer, Dec. 29 at 11, County Court of Cheshire, at Chester.—*Samuel Stephens*, Walsall, Staffordshire, ohaimmaker, Dec. 22 at 2, County Court of Staffordshire, at Walsall.—*William Tharp*, Walsall, Staffordshire, brushmaker, Dec. 22 at 2, County Court of Staffordshire, at Walsall.—*John Roberts*, Butts, Rushall, Staffordshire, mine agent, Dec. 22 at 2, County Court of Staffordshire, at Walsall.—*Joseph Bray*, Droylsden, Ashton-under-Lyne, Lancashire, gasfitter, Dec. 18 at 12, County Court of Lancashire, at Ashton-under-Lyne.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Cheshire, at CHESTER, Dec. 29.

Joseph Beech, Sutton, trimming manufacturer.—*William Broad*, New Brighton, out of business.

At the County Court of Sussex, at LEWES, Dec. 30.

Humphrey Wolferstan, Steyning, chemist.—*John Banks Gulliford*, Brighton, out of business.—*Moses Shallcross*, Brighton, town carter.—*John Antram* the younger, Brighton, general salesman.

INSOLVENT DEBTORS' DIVIDENDS.

James Holder Morrett, Skinner-street, Bishopsgate-street, London, packing-case maker: 1s. 3½d. in the pound.—*Alfred Chislett*, Lower Thames-street, London, optician: 1s. 5d. in the pound.—*Robert Sawby*, Sutton-at-Hone, near Dartford, Kent, miller: 1s. 1½d. in the pound.—*Thomas Brine Rogers*,

Great Union-street, Newington-causeway, Surrey, tailor: 2s. 11½d. in the pound.—*Charles Alford*, Rosemary-lane, Minorities, Middlesex, baker: 3s. 5½d. in the pound.—*George R. Anderson*, Roslin-street, Hampstead, Middlesex, chemist: 10½d. in the pound.—*Charles Frederick Henlen*, Star-corner, Bermondsey, Surrey, grocer: 4s. 1½d. in the pound.—*Bernard Jacob*, Bradford, Yorkshire, clothier's assistant: 2s. 10d. in the pound.—*George Tyler*, Leadenhall-market, London, butcher: 3s. 6½d. in the pound.—*Charles Newberry*, Charles-street, Northampton-square, Middlesex, carpenter: 3s. 1d. in the pound.—*Geo. Bundey*, Great Barlow-street, Marylebone, Middlesex, carpenter: 1s. 8d. in the pound.—*William Hurns*, Church Foneybourne, Worcestershire, farmer: 2s. 0½d. in the pound.—*Henry Clode*, Albion-street, Rotherhithe, Surrey, coalmeter: 7s. 7d. in the pound.—*F. J. Chamberlain*, Whitlesey, Cambridgeshire, bookseller: 1s. 10½d. in the pound.—*John Thos. Goodwin*, Alfred-place, Long-lane, Bermondsey, Surrey, clerk in the Excise Office: 9½d. in the pound.—*William Cripps*, Fortis-green, Finchley, Middlesex, superannuated tide-surveyor: 1s. 3½d. in the pound.—*John Seabrook*, Somerset-place, Camberwell, Surrey, commission agent: 2s. 6d. in the pound.—*Francis Fentum*, Elizabeth-street, Walworth, Surrey, flute manufacturer: 1s. 7d. in the pound.—*Thomas Henry Bennet*, St. James's-place, Hampstead-road, Middlesex, assistant clerk in Somerset House: 6s. in the pound.—*George Frederick Bragg*, Swinton-street, Gray's-inn-road, Middlesex, artist in water colours: 1s. 7d. in the pound.

Apply at the *Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.*

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DECEMBER 20, 1851.

PRICE 1s.

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LONDON, DECEMBER 20, 1851.

THE Court of Common Pleas has recently decided, that it is not in the discretion of the court, or of a judge at chambers, to deprive a plaintiff of costs under the County Court Extension Act, 13 & 14 Vict. c. 61, where he brings himself within the exceptions specified in the 13th section of that act. The words of that section are—"that if in any such action," i. e. where the plaintiff in a superior court recovers a sum not exceeding 20*l.* in an action of contract, or 5*l.* in an action of tort, except in the few cases excepted in sect. 11, "whether there be a verdict in such action or not, the plaintiff shall make it appear to the satisfaction of the court in which such action was brought, or to the satisfaction of a judge at chambers, that the action was brought for a cause in which concurrent jurisdiction is given to the superior Courts by the 9 & 10 Vict. c. 95, s. 128, or for which no plaint could have been entered in any such county court, or that the said cause was removed from a county court by certiorari, then, and in any of such cases, the said court, or the said judge at chambers, *may* thereupon, by rule or order, direct that the plaintiff shall recover his costs." This decision (*Macdougall v. Paterson*, 15 Jur., part 1, p. 1108) is directly opposed to that of the Court of Exchequer in *Jones v. Harrison* (15 Jur., part 1, p. 337) and *Palmer v. Richards*, (20 L. J., Ex., 323). In *Jones v. Harrison* the action was brought to recover 12*l.* 13*s.* The defendant paid 12*l.* 7*s.* after writ issued, and paid 6*s.* into court, which the plaintiff took out in satisfaction, and he then proceeded to tax his costs*. The plaintiff and defendant lived at a greater distance than

twenty miles from each other. The Master refused to tax the plaintiff's costs without an order from a judge. Martin, B., made the order, but expressed his wish that the matter should be brought before the full Court. This was done, and the order was rescinded, upon the ground that it was discretionary with the judge, under the circumstances, to make the order or not.

The Court applied the well-known rule for the construction of statutes, that the ordinary meaning of the words used, and their grammatical construction, should be adhered to, unless it would be at variance with the intention of the Legislature, to be collected from the statute itself, or would lead to any manifest absurdity or repugnance; and then, testing the statute by this rule, decided that the word "*may*" was permissive only.

The Court of Common Pleas, however, applying the same test, arrived at a totally different conclusion, and, after taking time to consider their judgment, held that the word "*may*" is compulsory, and that the court or a judge is bound to give the plaintiff an order for his costs in either of the three events in which jurisdiction is given to make such order. Their view may be thus briefly stated. Before the passing of the first County Court Act the plaintiff would have had his costs by the statute of Gloucester; and after the passing of the 9 & 10 Vict. c. 95, he would have had them, because the defendant could not, in the cases specified, have entered a suggestion to deprive him of them. In that state of the law the stat. 13 & 14 Vict. c. 61, was passed. The 11th section enacts, in substance, for the purposes of the case we are considering, that if in any action of debt commenced in the superior courts the plaintiff recover a sum not exceeding 20*l.*, he shall not have any costs, *except in the cases thereafter provided*, and no suggestion shall be necessary. The cases thereafter provided are contained in the 12th and 13th sections, and are of two kinds—those which may appear to the judge at the trial and

* No objection was made in this case, as in *Power v. Jones*, (see ante, p. 242), that the County Court Acts did not apply to deprive a plaintiff of costs where money was paid into court and taken out in satisfaction. (See *Brooke v. Rigby*, 2 Ad. & El. 21).

those which may be established* before the court or a judge, whether there be a verdict or not. Of the former, two cases are provided for: one, where it appears to the judge at the trial that the cause of action could not have been sued for in a county court; the other, where it appears to him that there was sufficient reason for suing in the superior court. Of the latter, three cases, and three only, are provided for, namely, concurrent jurisdiction, removal by certiorari, and the inability to sue in the county court. Is a fourth inquiry to be added to these, and that an inquiry into the general conduct of the parties? The 12th section gives the judge, at the trial, who has all the facts before him, power to certify that there was reason to sue in the superior court; but the 13th does not give the court or a judge, after the trial, power to enter upon such an inquiry; and one object of the act, viz. the saving the expense and delay of entering a suggestion, would be frustrated by requiring the case to be, in effect, re-tried on affidavits upon the question of costs. It could not have been intended that there should be a discretion where the plaintiff could not have sued in a county court. The word "may" is correctly used to express the kind of authority conferred upon a judge under the statute—that is, he is not bound to act against the plaintiff's wish; but, the fact being established which gives the authority, he may, at the plaintiff's request, make the order. The Court also examined the cases which have been decided upon the effect of the words "may" and "shall." Among others, *Alderman Backwell's case*, (1 Vern. 152; 1 Eq. Ab. 52; 2 Ch. Cas. 190), in which one of the questions raised before Lord Keeper North was, whether a commission of bankruptcy could be refused by the Lord Chancellor, or whether it was de jure; and the Lord Keeper said, (2 Ch. Cas. 191), "I hold the commission is de jure, and the statute, which saith that the Chancellor *may* grant &c., is as if it had been *shall* grant, or ought to grant, ex officio, but on request of persons interested;" and he added, (1 Vern. 153; 1 Eq. Ab. 52), that "it had been so resolved by all the judges."

We understand that Erle, J., had given a decision at chambers† contrary to that of *Jones v. Harrison*, (of which he expressed his disapproval), before the Court of Common Pleas delivered its judgment; and we entertain little doubt but that the decision of the Court of Common Pleas will be upheld.

The judgment of the Court of Exchequer was unsatisfactory upon several grounds, but chiefly in its repealing by implication important acts of Parliament, and vesting in a judge at chambers an authority to impose a severe penalty upon a party who had kept within the letter and (as it appears to us) the spirit of the law.

The view of the statute entertained by the Court of Common Pleas and Erle, J., in conjunction with other influences—namely, the operation of the "Act to amend the Law of Evidence," and the speedy execution granted by the superior Courts, in place of the "long day" given for payment by the county court

judges—will tend to restore business to the courts at Westminster, in which the public are willing to place their confidence, if they have not to pay for it at too high a rate.

A SHORT time ago the judges of the Court of Chancery, one and all, directed that for the convenience of the bar and the solicitors, immediately after the rising of the Court, the paper of business in each court for the following day should be posted up on the doors of the court, so that gentlemen living not in the immediate vicinity of the courts, should be able to take home with them knowledge of what they might have to attend to the next morning, consistently with a dinner hour of not wholly irrational lateness. Now, until the last day or two, this order of the judges was not obeyed; on the contrary, it was systematically neglected, and we have heard innumerable complaints that clerks, sent to look at the lists, never found the lists for all the courts posted up, but generally only those of one or two, and that, *never* earlier than half-past four, and scarcely ever earlier than from a quarter to five, to five; so that the intended convenience has been a nullity, except for the last few days.

Now, we know not positively, though we may guess, with whom rested this daring infraction of the orders of the judges, and the rights intended by those orders to be conferred on the Profession generally. If it was the result of an effort on the part of any one or more individuals having or claiming any imaginary vested pecuniary interest in the sale of the printed lists of the day's business, which used to be, and are still, circulated for a consideration among some members of the bar, and possibly among some of the solicitors, then all claims to any such interest ought at once to be silenced, and such efforts peremptorily checked.

We trust that if this neglect or indisposition on the part of the person or persons charged with posting up the lists of business on the doors of the court is renewed, it will be brought, at the bar of the court, to the notice of the judge; and we have no doubt that if such a step should become requisite, reproof will be conveyed to the offending individual in such terms as will not permit the repetition of his indiscreet attempt to maintain an abuse.

Reviews.

An Argument on the Inutility of the Distinction between Barrister and Attorney, &c. By W. L. HARLE.
[London: Stevens & Norton, 1851.]

THIS production is a pamphlet exclusively devoted to the question of abolishing all distinction between barrister and attorney; and Mr. Harle plunges into his subject, and throws off his conclusions with a dash and boldness which make his pamphlet one of the most readable on the subject, so that, if his arguments are not always conclusive, they are at least attractive. Mr. Harle contends broadly that there is no necessity for any distinction; that the attorney ought to be allowed to argue cases anywhere, from the magistrate's office to the Privy Council and the House of Lords; and that, per contra, the barrister ought to be allowed to do the business of an attorney or solicitor if he thinks fit.

"I say, then, my Lord, that the time has arrived when the distinction between barrister and attorney, as we find it now constituted, should be abolished for ever. The barrister, speaking generally, is stationary

* Even without an affidavit, unless the other side object upon that ground. (*Power v. Jones*, 15 Jar., part 1, p. 66).

† *Hitchcock v. Wilson*, Nov. 22, 1851.

'or retrogressive; the attorney, on the other hand, in his habits and education, is rapidly improving. I have no desire to depreciate the bar or its prospects. I request that, in accordance with the tenor of legal reformation—in accordance with the demands of all classes of our people—the barrister and attorney should be equal in the practice of our jurisprudence. I take existing men as I find them, and I ask that they should be permitted to practise the law as convenience, their own talent, their study, or their profit may suggest. I may, perhaps, be told that the attorney may become a barrister in the space of three years. Cold reality and severe competition will not allow us, my Lord, to blot out three years in the life of an attorney, in order to consume dinners in an inn of court, and become thereby a barrister-at-law! The idea is ludicrously preposterous; and no sane man, especially if others are depending upon his exertions, would dream of it for a moment. Reverse the picture, my Lord: can the barrister become an attorney? A formal and peculiar etiquette declares that he shall not; and men may starve as barristers, who are willing to do the work and obtain the fair emoluments of attorneys. A regulation like this needs only to be named, and its absurdity is seen; and I am prepared, therefore, on every ground of public policy and private convenience, to permit existing barristers to practise as attorneys, and, if they are disposed, existing attorneys to practise as advocates or barristers in any court of justice in her Majesty's dominions." (P. 28 et seq.)

He endeavours to support his proposition by referring to the different kinds of courts in which attorneys do practise as advocates, such as the Bankruptcy Court, the County Courts, the Revision Courts, the Committees on Standing Orders, the Undersheriff and Arbitration Courts, the Masters' Offices, &c.; in all of which Mr. Harle contends attorneys practise not only successfully, but with a preponderating success, as between them and counsel practising in the same courts.

"The mighty national works," he says, "consisting of railways, docks, harbours, and river improvements, have recently developed a wide extent of practice for the attorney as an advocate. The cases heard before a jury and an undersheriff, regarding the amount of compensation to be awarded to occupiers and owners of lands appropriated by a railway company, often involve large sums of money, and are frequently conducted by solicitors, while a solicitor, as undersheriff, is the sole judge. In these compensation courts I have seen attorneys conduct the whole business. I have seen a barrister opposed to an attorney; and, as the attorney of a railway company is usually a complete master of railway law and railway tactics, I have frequently been convinced that the attorney eclipsed the barrister in all matters of railway detail.

"Is a river or harbour to be improved by a navigation bill? Who manages the inquiry before the inspector sent down by the Admiralty? Why, my Lord, the attorney, possessing the skill to arrange evidence, examine witnesses, and lay his case clearly and fluently before the Government officer. I have known two solicitors, partners in the promotion of a river improvement bill, contend with two other solicitors, partners in the promotion of a rival improvement bill, in the presence of an Admiralty inspector, for fourteen days. Hosts of witnesses were examined, and luminous addresses were delivered; thousands of the public money were at issue; the commercial prosperity of a whole province was involved; and yet the bar of England might really have been non-existent, so far as that vast investigation was concerned. Your Lordship, I dare say, never attended an inquiry of this description; but I can confidently appeal to those who have been engaged in

'preparing and conducting a case before an Admiralty inspector, whether the bar, with all its lustre and reputation, was not, pro hac vice, utterly superseded and forgotten.

"Should a large provincial town be desirous of obtaining an act of Parliament for improving its streets or thoroughfares, and for supplying its inhabitants with gas or water, an engineer may be sent down to make a searching investigation on the spot, and impartially hear the two great gas and water factions into which the population may be divided. Attorneys will in such a case, procure the testimony and fight the battle. The solicitor for the old gas company, which we may imagine to exist in the place, and the solicitor to the provisional committee of the new project for illuminating the town, will join in vigorous conflict, and the bar again will not participate in the war of words created by a recent act of Parliament.

"Vast interests are now frequently discussed before mercantile arbitrators. I am aware that the judges generally prefer barristers as referees, but the public do not. Wherever the litigant parties can choose for themselves, a reference is made to clever, sensible men, of judgment and experience, either traders or attorneys. These references are usually conducted by solicitors. The public know, comparatively speaking, nothing of the intellect and skill displayed by the rival solicitors before the arbitrator during the examination of witnesses, and in discussing the law and facts as they arise in the course of the investigation. Here, again, we often have the attorney opposed in pleading to the barrister. The attorney, if he has sufficient confidence in his own powers, concludes the case, with which he has been familiar from its first appearance in his office; and I have observed in references, as in other inquiries, a quick, intelligent, experienced attorney much superior in genuine advocacy to a fourth-rate junior barrister." (P. 8 et seq.)

These specimens are sufficient to shew Mr. Harle's style and mode of argumentation; and of the latter we would say, without meaning to prejudice his conclusions, that if it were conveyed in language somewhat less tinged with a tone of sneering when he is speaking of the bar, its effect upon the mind would be, at any rate, not less forcible.

Upon the question involved in the discussion in this pamphlet we do not at present think it much worth while to enter. The bar does exist as one body, and the solicitors as another, each with its professional province, each with its privileges; and if the privileges of solicitors are not apparently so brilliant as those of barristers, they are at any rate more solid. It may be true, as Mr. Harle observes, that there are some very distinguished advocate attorneys in the county courts and elsewhere, and it may be equally true that there are some very proxy counsel in the courts both of law and equity; but it is nevertheless also true, as a general proposition, that the great body of the bar understands its own business, and the great body of the attorneys understand theirs; and that neither body is, by study or habit, fitted for the professional occupations of the other. To this state of things there is no visible or sensible antipathy in the public mind, and as long as that is so, it will require much more than a few pamphlets to change the status of either branch of the Profession, and to produce that fusion which Mr. Harle so earnestly desires. Without, then, pretending to say that such a fusion may never take place—without even undertaking at present to consider whether it may or not ever be desirable in this country, we think we may venture to say that the time has hardly arrived when its discussion can have any great practical interest.

There are other far more interesting questions, both to the public and the profession, in which so clever a pen as Mr. Harle's would be better employed, than in

attacking regulations which, whether faultless or not, appear still to be treated as convenient by the public. Of this kind are the questions so much discussed of late by the daily press, not whether counsel should do solicitors' business, but whether there is any and what kind of business in which the public could usefully be its own attorney, if the bar would dispense with the intervention of an attorney; and the question of the relation between solicitor and counsel on the subject of fees, as to the regulation both of their amount and of their payment.

If on these subjects Mr. Harle, or, to use his own expression, some other "quick, intelligent, experienced attorney," would assist the public by making some suggestions for meeting the real difficulties, and by dispelling some of the clouds which fancy has bred in the public mind, he might really serve the public and both orders of the Profession, because these are practical questions, ripe for discussion and decision.

London Gazette.

TUESDAY, DECEMBER 16.

BANKRUPTS.

JAMES BENNETT, Fox-place, Sandy-hill-road, Woolwich, Plumstead, Kent, carpenter and builder, Dec. 23 at 11, and Jan. 27 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Hudson & Co., 23, Bucklersbury.—Petition filed Dec. 11.

GEORGE BETTS, late of Swaffham, but now of Fornoett St. Peter, Norfolk, draper and grocer, dealer and chapman, Dec. 24 and Jan. 30 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Ashurst & Son, 6, Old Jewry, London.—Petition filed Dec. 11.

NICHOLAS GEARY, St. James's-street, Piccadilly, and Oxford-st., Middlesex, stay and corset maker, manufacturer, dealer and chapman, Dec. 30 at 1, and Jan. 27 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Lawrance & Co., 14, Old Jewry-chambers, London.—Petition filed Dec. 9.

GEORGE STANER the younger, Margate, Kent, baker, dealer and chapman, Dec. 30 at 2, and Feb. 3 at 11, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Wright, Margate, Kent; Crowder & Maynard, 57, Coleman-street, London.—Petition filed Dec. 6.

JOSEPH PALMER GODFREY, Cullompton, Devonshire, yeoman, late paper maker, Dec. 24 and Jan. 20 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Gidley, Exeter.—Petition filed Dec. 6.

FREDERICK EDWARD PREEDY, Sherborne, Dorsetshire, wine and spirit merchant, innkeeper, coach proprietor, dealer and chapman, Dec. 23 and Jan. 15 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Garland & Fear, Sherborne; Terrell, Exeter; Nichols & Clark, 9, Cook's-court, Lincoln's-inn, London.—Petition filed Dec. 8.

FRANCIS BLAMEY, Croft handy, Gwennap, Cornwall, grocer, draper, dealer and chapman, Dec. 23 and Jan. 20 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Stokes, Truro; Stogdon, Exeter.—Petition filed Dec. 8.

JOSHUA EYRE, Sheffield, Yorkshire, grocer, Jan. 10 and Feb. 7 at 12, District Court of Bankruptcy, Sheffield: Off. Ass. Freeman; Sol. Dixon, Sheffield.—Petition dated and filed Dec. 11.

EDWARD WILKINSON and **THOMAS BENTLEY**, Liverpool, tailors and drapers, Jan. 5 and 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Toulmin, Liverpool.—Petition filed Dec. 11.

ISAAC ABRAHAMS, Liverpool, tailor, outfitter, dealer and chapman, Dec. 26 and Jan. 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Shackleton, Leeds.—Petition filed Dec. 10.

JOHN WARBURTON, Liverpool, tailor and draper, Dec. 29 and Jan. 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Dodge, Liverpool.—Petition filed Dec. 15.

GEORGE FLETCHER, Holbeck, Leeds, and **ALBION CRAVEN**, Armley, Leeds, Yorkshire, cloth manufacturers, (under the style or firm of Fletcher & Craven), Jan. 9 and 30 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. J. & J. H. Richardson & Gaunt, Leeds.—Petition dated and filed Dec. 10.

CORNELIUS BAINBRIDGE, Birkenhead, Cheshire, iron-monger, dealer and chapman, Dec. 24 and Jan. 15 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Reece, Birmingham; Owen, Liverpool.—Petition filed Dec. 9.

JOSEPH JAMES SMITH, Liverpool, earthenware manufacturer and earthenware dealer, and dealer in china and glass, dealer and chapman, Dec. 26 and Jan. 22 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Pemberton, Liverpool.—Petition filed Dec. 15.

MEETINGS.

Samuel Cannock the younger, Kent-terrace, Great College-street, Camden-town, Middlesex, tobacconist, Dec. 27 at 12, Court of Bankruptcy, London, and ac.—*The Bromley Hill Iron and Coal Company*, Bream, Forest of Dean, Gloucestershire, Jan. 1 at 11, District Court of Bankruptcy, Bristol, and ac.—*Samuel Street*, Devizes, Wiltshire, shoemaker, Jan. 8 at 11, District Court of Bankruptcy, Bristol, and ac.—*Jonathan Higginson* and *Richard Deane*, Liverpool, merchants, Dec. 26 at 11, District Court of Bankruptcy, Liverpool, and ac. sep. est. of *R. Deane*.—*Henry F. Ross*, West Cowes, Isle of Wight, Southampton, and *John W. Barrow*, Philpot-lane, Fenchurch-street, London, commission agents, Jan. 9 at 11, Court of Bankruptcy, London, div. sep. est. of *H. F. Ross*.—*Edward Herring*, Trinity-street, Southwark, Surrey, manufacturing chemist, Jan. 10 at half-past 11, Court of Bankruptcy, London, div.—*James Bassett*, High-street, Shoreditch, Middlesex, hotel keeper, Jan. 9 at 11, Court of Bankruptcy, London, div.—*Duncan M'Vicar*, Liverpool, merchant, Jan. 9 at 11, District Court of Bankruptcy, Liverpool, fin. div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

James Bassett, High-street, Shoreditch, Middlesex, hotel keeper, Jan. 9 at 11, Court of Bankruptcy, London.—*Wm. H. Oram* and *Wm. Heard*, Noble-street, London, traders, Jan. 9 at half-past 11; Court of Bankruptcy, London.—*John Sykes* the younger, Sowerby, near Halifax, Yorkshire, tea dealer, Jan. 12 (and not Jan. 20, as before advertised) at 11, District Court of Bankruptcy, Leeds.—*Wm. Batson*, Birmingham, iron merchant, Jan. 7 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Aler. Laing, Halifax, Yorkshire, draper.—*Joseph Cundall*, Old Bond-street, Middlesex, publisher.—*Robert Summers*, Bath-street, City-road, Middlesex, pawnbroker.—*Moses John Hickman*, Princes-place, St. George's-in-the-East, Middlesex, undertaker.—*John Hawke*, King William-street, London, hatter.—*W. Levy*, White's-row, Spitalfields, Middlesex, macaroni manufacturer.—*Wm. Hayhow*, Ratcliffe-highway, and High-street, Shadwell, Middlesex, shoemaker.—*W. Hanson*, Albion-wharf, Kensington Canal Basin, Warwick-road, Kensington, Middlesex, statuary.—*Charles States*, Newcastle-upon-Tyne, innkeeper.

PETITION ANNULED.

Mary Rushworth, Huddersfield, Yorkshire, milliner.

PARTNERSHIP DISSOLVED.

Thos. Umbers and *H. B. Sowdon*, Stratford-upon-Avon, and Cheltenham, solicitors and attorneys.

SCOTCH SEQUESTRATIONS.

David Cable, Glasgow, shipmaster.—*Robert Black*, Newburgh, near Aberdeen, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Wm. Pilbeam, Westlands Farm, Worth, Sussex, farmer, Dec. 31 at 12, County Court of Sussex, at East Grinstead.—*Frederick Wm. White*, Ashley, near Kingwood, Southampton, carrier, Jan. 10 at 11, County Court of Hampshire, at Fordingbridge.—*James Broadbent*, Primrose within Saddleworth, Yorkshire, stone dealer, Jan. 3 at 11, County Court of Yorkshire, at Saddleworth.—*Henry Harrison*, Mansfield

Woodhouse, Nottinghamshire, butcher, Jan. 7 at 10, County Court of Nottinghamshire, at Mansfield.—*Joseph Wilcockson Marshall*, Sutton in Ashfield, Nottinghamshire, labourer, Jan. 7 at 10, County Court of Nottinghamshire, at Mansfield.—*Wm. Gell*, Nottingham, auctioneer, Jan. 12 at 9, County Court of Nottinghamshire, at Nottingham.—*Thomas Brownson Harris*, Nottingham, railway clerk, Jan. 12 at 9, County Court of Nottinghamshire, at Nottingham.—*William Dickman*, Bingham, Nottinghamshire, tinsman, Jan. 13 at 10, County Court of Nottinghamshire, at Bingham.—*Edw. Ward*, Radford, near Nottingham, lace maker, Jan. 12 at 9, County Court of Nottinghamshire, at Nottingham.—*Edw. Scholes*, Crowland, Lincolnshire, tailor, Jan. 14 at 12, County Court of Lincolnshire, at Spalding.—*James Frost*, Callompton, Devonshire, farmer, Jan. 15 at 10, County Court of Devonshire, at Tiverton.—*John Walton*, Church Copenhall, Cheshire, bookseller, Dec. 23 at 11, County Court of Cheshire, at Nantwich.—*Joseph Goodchild*, Hurley, near Knowl-hill, Berkshire, in no business, Dec. 30 at 11, County Court of Berkshire, at Reading.—*Benj. Swain*, Stokenchurch, Oxfordshire, publican, Dec. 30 at 11, County Court of Oxfordshire, at Henley.—*Geo. Mathewson*, Reading, Berkshire, shoe manufacturer, Jan. 1 at 11, County Court of Berkshire, at Reading.—*Thomas Phythian*, Nantwich, Cheshire, provision dealer, Dec. 22 at 11, County Court of Cheshire, at Nantwich.—*Charles Presdee*, Worcester, out of business, Jan. 20 at 9, County Court of Worcestershire, at Worcester.—*John Cunn.*, Rochdale, Lancashire, tailor, Jan. 1 at 12, County Court of Lancashire, at Rochdale.—*J. Green*, Runcorn, Cheshire, painter, Jan. 17 at half-past 10, County Court of Cheshire, at Runcorn.—*Wm. Bades*, King's Langley, Hertfordshire, tea dealer, Dec. 19 at half-past 10, County Court of Hertfordshire, at St. Alban's.—*Thomas Tufnell*, Luton, Bedfordshire, dealer in straw plait, Dec. 23 at 11, County Court of Bedfordshire, at Luton.—*Robert Shankland*, Boughton, Nottinghamshire, assistant gamekeeper, Jan. 8 at 11, County Court of Nottinghamshire, at Worksop.—*Joseph Roberts*, Denbigh, confectioner, Jan. 15 at 11, County Court of Denbighshire, at Denbigh.—*John Ricketts*, Staunton-upon-Arrow, Herefordshire, horse breaker, Jan. 12 at 11, County Court of Herefordshire, at Leominster.

Saturday, Dec. 13.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

William Reynolds, Pitney, Somersetshire, out of business, No. 74,275 C.; *Wm. I. Welsh*, assignee.—*Wm. Wall*, Chatham, Kent, wine merchant, No. 74,234 C.; *M'Carthy Stephenson*, assignee.—*Alex. Hoatson*, Northgate and Bank Bottom, Halifax, Yorkshire, corn dealer, No. 74,333 C.; *Jas. Fielding* and *Samuel Rawnley*, assignees.

Saturday, Dec. 13.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

George Stanley Caulfield, John-street West, Blackfriars-road, Surrey, secretary to a trades' protection society: in the Gaol of Horsemonger-lane.—*Pierre Marie Auguste Rougier*, Princes-street, Spitalfields, Middlesex, Jacquard machine maker: in the Debtors Prison for London and Middlesex.—*John Tukey*, Alcot-road, Willow-walk, Bermondsey, Surrey, builder: in the Gaol of Surrey.—*Richard Kay*, Ebury-street, Pimlico, Middlesex, dressmaker: in the Debtors Prison for London and Middlesex.—*Edward Merry*, York-street, Walworth-road, Surrey, cheesemonger: in the Queen's Prison.—*John Marshall*, Baker's-row, Walworth-road, Surrey, stay-maker: in the Gaol of Surrey.—*William Wooding*, Fenchurch street, London, carpenter: in the Debtors Prison for London and Middlesex.—*Henry John Louis Augarde*, Buckingham-road, West Hackney, Middlesex, stockbroker: in the Debtors Prison for London and Middlesex.—*James Arrow-smith*, Finsbury-market, Finsbury, Middlesex, wine cooper: in the Debtors Prison for London and Middlesex.—*Benjamin Featherby*, Great Carter-lane, London, blacksmith: in the Debtors Prison for London and Middlesex.—*Richard Waits*, Little Portland-street, Regent-street, Middlesex, coffee-house keeper: in the Queen's Prison.—*Nicholas William Tertius Isherwood*, Tothill-street, Westminster, Middlesex, out of employ: in the Gaol of Surrey.—*William Best*, Upper North-place, Gray's-inn-road, Middlesex, tailor: in the Debtors

Prison for London and Middlesex.—*John Matthias Harrison*, Knaresborough, Yorkshire, tea dealer: in the Gaol of York.—*William Inness*, Newcastle-upon-Tyne, tailor: in the Gaol of Newcastle-upon-Tyne.—*John Abbott*, Boylton-house, Brockholds, near Preston, Lancashire, farmer: in the Gaol of Lancaster.—*Josiah Barker*, Liverpool, coal proprietor: in the Gaol of Lancaster.—*James Taylor*, Rochdale, Lancashire, painter: in the Gaol of Lancaster.—*Thomas Harrison*, White Cross-bank, Salford, Lancashire, screw manufacturer: in the Gaol of Lancaster.—*James Smith*, Brookhouse, Blackburn, Lancashire, victualler: in the Gaol of Lancaster.—*Richard Allerton*, Liverpool, wheelwright: in the Gaol of Lancaster.—*John Marsden*, Troway, Eckington, Derbyshire, farmer: in the Gaol of Derby.—*Robert Shepley*, Saddlesworth, Yorkshire, shopkeeper: in the Gaol of York.—*John Melson*, Liverpool, letter-press printer: in the Gaol of Lancaster.—*Richard William Palmer*, Moulsham, Chelmsford, Essex, dealer in marine stores: in the Gaol of Springfield.—*William Gerrard*, Forsbrook, Dillhorn, Staffordshire, grocer: in the Gaol of Stafford.—*Evam George Evans*, Higley, Shropshire, carpenter: in the Gaol of Shrewsbury.—*Richard Sculthorpe*, Northampton, out of business: in the Gaol of Northampton.—*Henry John Edlin*, Rock-ferry, near Liverpool, drysalter: in the Gaol of Lancaster.—*James Turner*, Salford, Lancashire, shoemaker: in the Gaol of Lancaster.—*John Lewis*, Hulme, Manchester, tailor: in the Gaol of Lancaster.—*John Birch*, Moonside, Bury, Lancashire, grocer: in the Gaol of Lancaster.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Staffordshire, at STAFFORD, Dec. 30 at 10.

Thomas Shenton, Stafford, shoe manufacturer.—*William Gerrard*, Forsbrook, Dillhorn, grocer.

INSOLVENT DEBTORS' DIVIDENDS.

James Mortimer, Stanley-place, Paddington-green, Paddington, Middlesex, builder's clerk: 3s. in the pound.—*John Evans*, Great Saffron-hill, Middlesex, dealer in coals and wood: 3s. 10d. in the pound.—*George Bond*, Commercial-road, Lambeth, Surrey, plumber: 2s. in the pound.—*Thomas Goodland*, Hampden-street, Harrow-road, Paddington, Middlesex, out of business: 3s. 2d. in the pound.—*James Haliburton* the younger, Commercial-road, Lambeth, Surrey, clerk in Somerset House: 3s. 5d. in the pound.—*Henry Tyrrell Ryder*, Hatfield-street, Blackfriars-road, Middlesex, carpenter: 5s. 5d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

FRIDAY, DECEMBER 19.

BANKRUPTS.

EDMUND CURTIES, Blackfriars-road, Surrey, cheesemonger, dealer and chapman, Dec. 30 at 2, and Jan. 29 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sol. Morgan, 15, Old Jewry, London.—Petition filed Dec. 15.

JOHN RUTTY, Gerard-st., Soho, Middlesex, draper, dealer and chapman, (trading under the firm of John Rutty & Co.), Dec. 31 and Feb. 2 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Lawrance & Co., 14, Old Jewry-chambers.—Petition filed Dec. 15.

EDWARD WILLS UREN, Totnes, Devonshire, builder, dealer and chapman, Jan. 2 and 27 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sol. Stogdon, Exeter.—Petition filed Dec. 11.

JOHN HADFIELD, Manchester and Ashton-in-Makerfield, Lancashire, cotton spinner, Dec. 30 and Jan. 22 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Mackenzie; Sols. Worthington & Shipman, Manchester.—Petition filed Dec. 13.

JAMES DUGGAN, Maryport, Cumberland, draper, dealer and chapman, Dec. 31 at 11, and Feb. 5 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sols. Sale & Co., Manchester; Griffith & Crighton, Newcastle-upon-Tyne.—Petition filed Dec. 2.

PETER LAWTON, Liverpool, chemist and druggist and soda water manufacturer, Jan. 6 and 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Christian & Jones, Liverpool.—Petition filed Dec. 9.

JOHN THOMPSON and WILLIAM LEITH, Liverpool, timber merchants and tar distillers, Dec. 31 and Jan. 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Robinson & Duke, Liverpool.—Petition filed Dec. 16.

GEORGE PRYDE, (not PRIDE, as before advertised), DAVID JONES, and JOHN GIBB, Liverpool, sail makers, ship chandlers, commission merchants, and ship-owners, (carrying on business under the firm of Pryde & Jones), Dec. 24 and Jan. 19 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Davenport & Collier, Liverpool.—Petition filed Dec. 5.

MEETINGS.

George A. Davis, Union-st., Berkeley-square, Middlesex, distiller, Dec. 30 at 3, Court of Bankruptcy, London, pr. d.—Richard Seymour, Downham, Cambridgeshire, grocer, Jan. 6 at 1, Court of Bankruptcy, London, ch. ass.—Thomas M. Harris, Liverpool, shipowner, Dec. 31 at 11, District Court of Bankruptcy, Liverpool, last ex.—Ely Kitson, Fenchurch-street, London, saddler, Jan. 9 at half-past 12, Court of Bankruptcy, London, and. ac.—Joseph Battye L. Buckland, Threadneedle-st., London, and Regent-villas, Avenue-road, Regent's-park, Middlesex, insurance agent, Jan. 13 at half-past 1, Court of Bankruptcy, London, and. ac.—Wm. Jones, Castle-street, Finsbury, Middlesex, cabinet maker, Jan. 13 at half-past 12, Court of Bankruptcy, London, and. ac.—James Grimble, Sydney-sq., Whitechapel, Middlesex, builder, Jan. 13 at 1, Court of Bankruptcy, London, and. ac.—Henry C. Frost, Russell-sq., Middlesex, boarding-house keeper, Jan. 7 at 11, Court of Bankruptcy, London, and. ac.—E. Herring, Trinity-st., Southwark, Surrey, manufacturing chemist, Jan. 3 at half-past 11, Court of Bankruptcy, London, and. ac.—Thomas Davey the younger, Halsted, Essex, builder, Jan. 2 at 11, Court of Bankruptcy, London, and. ac.—Henry F. Ross, West Cowes, Isle of Wight, Southampton, and John W. Barrow, Philpot-lane, Fenchurch-street, London, commission agents, Jan. 2 at 11, Court of Bankruptcy, London, and. ac. sep. est. of Henry F. Ross.—John Wall and Thos. Y. Wall, Chatham, Kent, brewers, Jan. 2 at 1, Court of Bankruptcy, London, and. ac.—Charles Isaacs, Bristol, furrier, Jan. 9 at 11, District Court of Bankruptcy, Bristol, and. ac.; Jan. 16 at 11, div.—George Page, Wolverhampton, Staffordshire, coal dealer, Jan. 20 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—Henry Turner, Wolverhampton, Staffordshire, scrivener, Dec. 12 at half-past 11, District Court of Bankruptcy, Birmingham, and. ac.—Matthew Pattison, South Shields, Durham, ironmonger, Jan. 8 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Jan. 13 at 11, div.—Wm. W. Spence, Newcastle-upon-Tyne, woollendrapers, Jan. 16 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Jan. 20 at 12, div.—Henry D. Stevenson, West Sunnyside, Bishopwearmouth, Durham, merchant, Jan. 20 at 11, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; Jan. 23 at 1, fin. div.—Thomas Hutchinson, Sunderland and Wingate, Durham, tea dealer, Jan. 23 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.; at half-past 12, div.—John Murray, Sunderland, Durham, ship chandler, Jan. 13 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, and. ac.—John D. Woodcock, Leeds, Yorkshire, calenderer, Jan. 20 at 11, District Court of Bankruptcy, Leeds, and. ac. and fin. div.—I. Dewhurst and J. S. Dewhurst, Embsay, Skipton, Yorkshire, cotton spinners, Jan. 19 at 12, District Court of Bankruptcy, Leeds, and. ac.; Jan. 20 at 12, div.—Wm. Brown, Brunswick-st., Stamford-st., Christchurch, Surrey, engineer, Jan. 9 at 12, Court of Bankruptcy, London, div.—J. S. Stopford, Austin-friers, London, merchant, Jan. 9 at 11, Court of Bankruptcy, London, div.—Marshall Bewick, Norwich, wine merchant, Jan. 9 at 12, Court of Bankruptcy, London, div.—R. Michael, Boulogne-sur-Mer, France, general merchant, Jan. 9 at 11, Court of Bankruptcy, London, div.—George Laws, Waltham Abbey, Essex, linendrapers, Jan. 15 at 11, Court of Bankruptcy, London, div.—Edw. Martyn and Henry Martyn, Aldgate High-street, London, woollendrapers, Jan. 10 at 11, Court of Bankruptcy, London, div.—John Paul, Oxford-street, Middlesex, milliner, Jan. 12 at half-past 11, Court of Bankruptcy, London, div.—Henry Beal, Shoe-lane, Fleet-street, London, bookseller, Jan. 12 at 11, Court of Bankruptcy, London, div.—Wm. H. Luckins, Kennington-row, Surrey, coachmaker, Jan. 12 at half-past 12, Court of Bankruptcy, London, div.—Thomas Wallis the younger and Swan Wallis, Leeds, York-

shire, linendrapers, Jan. 12 at 11, Court of Bankruptcy, London, div.—Wm. Strange the younger, Paternoster-row, London, bookseller, Jan. 12 at half-past 12, Court of Bankruptcy, London, div.—John Valentine, Northampton, tea dealer, Jan. 12 at 1, Court of Bankruptcy, London, div.—J. Cook, Assembly-row, Mile-end-road, Middlesex, builder, Jan. 12 at half-past 1, Court of Bankruptcy, London, div.—D. Allen, Coleman-street, Lothbury, London, merchant, Jan. 12 at 11, Court of Bankruptcy, London, fin. div.—J. Ball, Martin's-lane, Cannon-street, London, merchant, Jan. 13 at 12, Court of Bankruptcy, London, div.—John Saunders and Edwin Turrell, Fleet-street, London, publishers, Jan. 13 at 1, Court of Bankruptcy, London, div. sep. est. of E. Turrell.—Smith Tibbits, Shuckburgh, Warwickshire, dealer in mineral ores, Jan. 13 at half-past 10, District Court of Bankruptcy, Birmingham, div.—J. Phillips, Longton, Staffordshire, grocer, Jan. 12 at half-past 11, District Court of Bankruptcy, Birmingham, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

E. W. Cherrill, Ramsgate, Kent, cabinet maker, Jan. 15 at 12, Court of Bankruptcy, London.—Joseph B. L. Buckland, Threadneedle-street, London, and Regent-villas, Avenue-rd., Regent's-park, Middlesex, insurance agent, Jan. 13 at half-past 1, Court of Bankruptcy, London.—Edward Ritherdon, Mill-wall, Poplar, Middlesex, ship builder, Jan. 15 at 1, Court of Bankruptcy, London.—Thomas Wallis the younger and Swan Wallis, Leeds, Yorkshire, linendrapers, Jan. 10 at half-past 1, Court of Bankruptcy, London.—Wm. Powell, Jeffery's-street, Camden-town, Middlesex, builder, Jan. 10 at 11, Court of Bankruptcy, London.—Edw. Herring, Trinity-street, Southwark, Surrey, manufacturing chemist, Jan. 10 at half-past 11, Court of Bankruptcy, London.—F. Baynam, High-street, Hounslow, Middlesex, grocer, Jan. 10 at half-past 11, Court of Bankruptcy, London.—Thomas E. Slate, King's Head-court, London, and Hatton-garden, Middlesex, bookbinder, Jan. 9 at half-past 1, Court of Bankruptcy, London.—C. C. C. Geary, Colchester, Essex, cheesemonger, Jan. 9 at 1, Court of Bankruptcy, London.—Isaac Isaacs, Swan-street, Minories, London, jeweller, Jan. 9 at 11, Court of Bankruptcy, London.—Charles Isaacs, Bristol, furrier, Jan. 14 at 11, District Court of Bankruptcy, Bristol.—Pearce M. Hadley, Cardiff, Glamorganshire, corn merchant, Jan. 27 at half-past 11, District Court of Bankruptcy, Bristol.—J. Tvy, Wolverhampton, Staffordshire, innkeeper, Jan. 15 at half-past 11, District Court of Bankruptcy, Birmingham.—Saml. Hall, Tipton, Staffordshire, miller, Jan. 15 at half-past 11, District Court of Bankruptcy, Birmingham.—Robert Tyl, Worcester, grocer, Jan. 20 at 1, District Court of Bankruptcy, Birmingham.—D. H. Waldron, Birmingham, grocer, Jan. 17 at 1, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

James Matte, Edgeware-road, Middlesex, ironmonger.—W. W. Holman, Bath, draper.—R. D. Mercer, Church-passage, Spital-square, Bishopsgate-street Without, Middlesex, silk merchant.—John Williams, Cadzorton-juxta-Neath, Glamorganshire, ironmaster.—Matthew Lister, Painswick, Gloucestershire, clothier.—Robert Bew, Selby, Yorkshire, grocer.—John Beach, Bradford, Yorkshire, apothecary.—W. Speak, Halifax, Yorkshire, stuff manufacturer.—John Nicholson, Sheffield, Yorkshire, surgeon.—John N. Carpenter, Eardisland, Herefordshire, miller.—Thomas Ross the younger, Burton Joyce, Nottinghamshire, braid manufacturer.—J. Brown-sord, Nottingham, butcher.

SCOTCH SEQUESTRATIONS.

A. Schultze and H. Schultze, Leith, merchants.—James Scott, Milnathort, wright.—John Barclay, Glasgow, iron merchant.—Wm. Fulton and David K. Skiman, Glasgow, ham curers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Anne Jones, spinster, Bagillt, Holywell, Flintshire, grocer, Jan. 6 at 11, County Court of Flintshire, at Holywell.—Weldon Underwood, Great Grimsby, Lincolnshire, schoolmaster, Jan. 14 at 10, County Court of Lincolnshire, at Great Grimsby.—Joshua Western, Wragby, Lincolnshire, watchmaker, Jan. 17 at 11, County Court of Lincolnshire, at

Market Rasen.—*Owen John Hammond*, Chertsey, Surrey, grocer, Jan. 7 at 2, County Court of Surrey, at Chertsey.—*Thomas Addison* the younger, Salford, Lancashire, land surveyor, Dec. 31 at 1, County Court of Lancashire, at Salford.—*Martha Cooke*, Chester, beer retailer, Dec. 29 at 11, County Court of Cheshire, at Chester.—*Samuel Larcomb*, Stockbridge, Hampshire, licensed victualler, Jan. 9 at 11, County Court of Hampshire, at Romsey.—*Joseph Sayer*, Kirby Stephen, Westmoreland, slater, Jan. 21 at 11, County Court of Westmoreland, at Appleby.—*George Batchelor*, Walton-upon-Thames, Surrey, dealer in coals, Jan. 11 at 1, County Court of Surrey, at Chertsey.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 2 at 11, before the CHIEF COMMISSIONER.

R. Rose, Old Compton-st., Soho, Middlesex, tobacconist.—*J. M'Donnell*, Pitfield-st., Hoxton, Middlesex, milliner.—*R. Sargent*, Diamond-row, Stepney-green, Stepney, Middlesex, cheesemonger.—*Thos. Black*, South-terrace, Grosvenor-park, Camberwell, Surrey, commission agent.

Jan. 3 at 11, before the CHIEF COMMISSIONER.

John Pocock, High-st., Peckham, Surrey, grocer.—*Thos. Geo. Sardi*, Bark-place, Bayswater, Middlesex, gentleman.—*Reginald Henry Messenge*, Bromley New-town, Middlesex, general-shop keeper.—*John Driver*, New-road, Woolwich, Kent, tailor.

Jan. 5 at 10, before Mr. Commissioner LAW.

Wm. Hughes, Great Suffolk-street, Southwark, Surrey, cheesemonger.—*Jonathan Puttnam*, North-street, Lambeth, Surrey, baker.—*George Conyers*, Clifton-place, Cambridge-heath, Hackney, Middlesex, fancy cabinet maker.—*Robert Cook*, Kingsgate-st., Holborn, Middlesex, tailor.—*Mary Bailey*, spinster, Upper Seymour-st. West, Edgeware-road, Paddington, Middlesex, lodging-house keeper.—*H. Brown*, Church-st., Shoreditch, Middlesex, waiter.—*John W. Robon*, Whitmore-road, High-street, Hoxton Old-town, Middlesex, cooper.—*Wm. Budgen*, Boyton-place, Walworth-common, Surrey, sofa maker.—*George Lloyd*, Noble-street, Spafelds, Middlesex, French polisher.—*Thos. Geo. Taylor*, Grove-st., Hackney, Middlesex, clerk to the Royal Mail Steam-packet Company.

Jan. 5 at 10, before Mr. Commissioner PHILLIPS.

Wm. Plummer, Webb-st., Southwark, Surrey, out of business.—*Wm. Gramshaw*, Windsor-st., Uxbridge, Middlesex, broker.—*Samuel Baughen*, New-st., Dorset-square, Marylebone, Middlesex, grocer.—*Thos. Trout Pearce*, Carlisle-terrace, Fairfield-road, Bow, Middlesex, coachmaker.—*John Pearce*, Fairfield-place, Fairfield-row, Bow, Middlesex, coachmaker.—*Benj. Fisher*, Argyle-place, King's-cross, Middlesex, baker.—*Edward Griffin*, Goswell-road, Clerkenwell, Middlesex, out of business.—*Jane Hannah Chambers*, Ebenezer-place, Neckinger-road, Bermondsey, Surrey, out of business.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 2 at 11, before the CHIEF COMMISSIONER.

James Atkins the younger, Bedford-place, Vauxhall-bridge-road, Middlesex, cook.—*Joshua Jos. Southgate*, Hope-cottage, Bayham-st. South, Camden-town, Middlesex, musical instrument manufacturer.—*Robert Loder*, Parker-st., Drury-lane, Middlesex, tobacco-pipe maker.—*Auguste Jean Baptiste Amand*, Featherstone-buildings, Middlesex, artificial flower manufacturer.—*George Stanley Caulfield*, John-street West, Blackfriars-road, Surrey, secretary to a trade protection society.

Jan. 2 at 10, before Mr. Commissioner LAW.

Wm. Horne, Long-acre, Middlesex, manager to a coach builder.—*Frederick Wm. Wilson*, Gloucester-place, Kentish-town, Middlesex, clerk.—*Wm. Yates*, Wynatt-st., Goswell-road, Middlesex, assistant to a baker.—*Thos. Loosley*, Field-place, Lock's-fields, Walworth, Surrey, parchment manufacturer.—*Pierre Marie Auguste Rougier*, Princes-st., Spital-fields, Middlesex, Jacquard machine maker.—*John Stickles*, Margate, Kent, dealer in fish.

Jan. 2 at 11, before Mr. Commissioner PHILLIPS.

George Richardson, Trinity-st., Liverpool-road, Islington, Middlesex, out of business.—*John Hall Thompson*, Park-st., Camden-town, Middlesex, hairdresser.—*Henry Cohen*, Prospect-cottage, Woodland-grove, East Greenwich, Kent, out of business.—*Jules Van Eelen*, Ufton-road, South Downham-road, Kingsland, Middlesex, shipbroker.—*Henry Fletcher*, Ann-st., Pentonville, Middlesex, carpenter.—*William Henry Compton*, Paddington-st., Marylebone, Middlesex, printer.—*Charles Chilton*, Fitchett's-court, Noble-st., Falcon-square, London, button manufacturer.—*James Allan*, Grosvenor-park-terrace, Beresford-st., Camberwell, Surrey, and White-Lion-court, Birch-in-lane, Cornhill, London, lithographer.

Jan. 3 at 11, before the CHIEF COMMISSIONER.

Wm. Scarlett Mayhew, Great Carter-lane, London, out of business.—*George Sidney*, Henry-st., St. John's-wood, Middlesex, ironmonger.

Jan. 3 at 10, before Mr. Commissioner LAW.

James Arrowsmith, Finsbury-market, Finsbury, Middlesex, wine cooper.

Jan. 3 at 11, before Mr. Commissioner PHILLIPS.

Thomas Forshall, Chester-place, Kennington, near Kennington-cross, Surrey, consulting surgeon.

County Court of Lancashire, at LANCASTER. Assignees have been appointed in the following Cases:—

James Morris Mullely, Hulme, Manchester, joiner, No. 74,404; *Charles Hunt*, assignee.—*John Watson*, Heaton Norris, near Manchester, out of business, No. 74,412; *Thomas Clowes* and *James Wheatley*, assignees.—*William Holland*, Heaton Norris, Lancaster, out of business, No. 74,401; *Hugh Haslam Dawson*, assignee.—*Thomas Moss*, Manchester, out of business, No. 74,389; *Henry Bowman*, assignee.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER,

Jan. 2 at 11.

John Melson, Liverpool, letter-press printer.—*John Stewart*, Liverpool, blacksmith.—*John Clayton*, Chorlton-upon-Medlock, Manchester, out of business.—*James Smith*, Blackburn, out of business.—*James Taylor*, Rochdale, painter.—*John Abbott*, Brockholes, near Preston, farmer.—*Thos. Harrison*, Salford, out of business.—*Thos. Taylor*, Manchester, builder.—*Charles Peat*, Bolton-le-Moors, beer-seller.—*John Lever*, Manchester, tripdresser.—*Henry John Edlin*, Rock-ferry, near Liverpool, broker.—*Wm. Andrews*, Waterheys Wigan, coal proprietor.—*John S. Orford*, Salford, out of business.

At the County Court of Lancashire, at LANCASTER,

Jan. 3 at 11.

Thomas Smethurst, Chorlton-upon-Medlock, Manchester, cork manufacturer.—*James Turner*, Salford, shoemaker.—*Robert Johnson*, Pendleton, Salford, bookkeeper.

At the County Court of Kent, at MAIDSTONE, Jan. 5 at 12.

Eliza Hooker, Beckenham, near Bromley, coal merchant.—*John Hook*, Minster, Isle of Sheppey, tea dealer.—*James Charlesworth* the younger, Sheerness, general dealer.

At the County Court of Lincolnshire, at LINCOLN, Jan. 6.

Thomas Farmery Wilmot, Harby, Nottinghamshire, out of employment.

INSOLVENT DEBTORS' DIVIDENDS.

William John Lawrence, Saxon-street, Long-lane, Bermondsey, Surrey, oilman: 1s. 10d. in the pound.—*John Sams*, Chapel-street, Curtain-road, Shoreditch, Middlesex, bedstead manufacturer: 1s. 6d. in the pound.—*Henry Crooks*, Poland-street, Oxford-street, Middlesex, surgeon: 2s. in the pound.—*John Kenody*, Tothill-street, Westminster, Middlesex, shoemaker: 1s. 1½d. in the pound.—*Henry Gilbert*, East-street, Old Kent-road, Surrey, omnibus conductor: 1s. in the pound.—*Richard Hughes*, Cranmer-place, Waterloo-bridge-road, Surrey, musician: 2s. 2d. in the pound.—*William Pelhouse*, Lower Deptford-road, Surrey, market gardener: 7s. 9d. in the pound.—*John Smith*, High-street, Poplar, Middlesex, inspector of coal ships: 3s. 4d. in the pound.

Apply at the Provisional Assignees' Office, Portugal-street, Lincoln's-inn-fields, London, between the hours of 11 and 3.

MEETING.

Frederick Teesdale, Bourn, Lincolnshire, cattle dealer, Jan. 7 at 5, Edmonds & Jones's, Eldon-chambers, Devereux-court, Temple, Middlesex, sp. aff.

RATING OF RAILWAYS, GAS WORKS, WATER-WORKS, &c.—To Solicitors, Parish Officers, and others.—A Surveyor and Civil Engineer, who has had considerable experience in this branch of practice, offers his services, where they may be required, in assisting Parish Officers either in making the assessment, or in defending it against an appeal. References to Solicitors with whom he has been engaged. Address, H. J. C., 7, Chancery-lane, London.

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At the TENTH ANNUAL GENERAL MEETING of this Society, held on the 27th day of November, 1851,

Benjamin Phillips, Esq., F.R.S., in the Chair,

The following Report was read, shewing the progress of the Society since its establishment:—

"The Directors beg to refer the Shareholders to the following Table, which shews the speedy increase of the business of the office:—

| YEAR. | Number of New Policies issued each year. | Sums Assured by New Policies in each year. | Annual Premiums payable on New Policies issued in each year. |
|-------|------------------------------------------|--------------------------------------------|--------------------------------------------------------------|
| | | £ s. d. | £ s. d. |
| 1842 | 130 | 55,245 1 0 | 1,883 13 7 |
| 1843 | 208 | 87,830 16 11 | 4,902 18 6 |
| 1844 | 197 | 80,415 8 6 | 4,120 4 3 |
| 1845 | 258 | 103,014 11 0 | 5,563 17 0 |
| 1846 | 199 | 83,700 14 5 | 4,985 8 5 |
| 1847 | 313 | 113,542 4 8 | 4,237 3 0 |
| 1848 | 412 | 124,458 17 9 | 4,980 2 8 |
| 1849 | 475 | 201,712 15 6 | 7,496 0 6 |
| 1850 | 569 | 213,469 16 11 | 9,163 13 7 |
| 1851 | 613 | 263,162 1 5 | 10,527 17 2 |
| Total | 3374 | 1,326,552 8 1 | 57,949 18 8 |

"From this it is found that the business done during the last year is larger than that of any preceding year, and that 613 Policies were effected, yielding Annual Premiums to the extent of £10,527, while the whole business of the first three years of the Society's existence was confined to the issue of 535 Policies, yielding £10,995 in Annual Premiums.

"The deaths during the year ending 1850 were much under the number expected. It was reasonable therefore to suppose that in the following year they would have equalled or even exceeded the number expected; and it is therefore satisfactory to find that the number of deaths in the present year is still somewhat below that provided for by the Society's tables.

"It is also a source of much satisfaction to the Directors to be enabled to state that the peculiar feature which originated with this Society, and which at the outset constituted its principal claim to public support, viz. the assurance of unsound lives on strictly scientific and sound principles, is fully appreciated by the public; and that the experience of ten years has completely shewn the correctness of the opinion originally expressed, that such business can be conducted with safety not only to the assured, but to the assurers. The assurance of unsound lives is now very generally practised by other offices as well as this, but the principles upon which such business is done are by no means uniform. In this office, however, the premiums are tabulated from data quite as accurate as those used for ordinary lives, whereas in other offices the premium is fixed, without any accurate tables or data.

"The Directors going out by rotation are Thomas Stevenson, Esq., F.S.A., and Alfred Waddiloe, D.C.L.; and the Auditors going out of office by rotation are John Stirling Taylor, Esq., and Joseph Whitehouse, Esq.; all of whom, being eligible, offer themselves for re-election."

The Directors and Auditors retiring from office having been duly re-elected without opposition, the business of the meeting terminated by the usual vote of thanks being given.

Prospectuses, containing very full tables of rates, forms of proposal, and every other information, will be forwarded, postage free, on application to any of the Society's agents, or to the Secretary, at the chief office, 25, Pall-mall.

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The Jurist

No. 781—Vol. XV.

DECEMBER 27, 1851.

Price 1s.

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LONDON, DECEMBER 27, 1851.

On the 23rd instant Vice-Chancellor Kindersley delivered a judgment of great importance as affecting the law of nuisance, because, in effect, what his Honor has held is, that a Court of equity will decide the question what is nuisance, without a trial at law, and will, if it concludes that there is a nuisance, grant an injunction at once. That this is the effect of the case of *Soltau v. De Held* will be apparent if it be examined. In that case the bell-ringing of the defendants (the alleged nuisance) had commenced in 1848, by the ringing repeatedly on every day in the week of a large and loud bell. In May, 1851, the alleged nuisance was expanded from one bell into six, and those six bells were rung repeatedly. In June an action was brought by the plaintiff on that state of bell-ringing, and in August a verdict was given for the plaintiff. The ringing then ceased until November, 1851, and then it was renewed, but, as was admitted, the amount and manner of ringing were considerably different from those on which the verdict of the jury had been given. In this state of things a bill was filed, and a motion was made for an injunction; and Vice-Chancellor Kindersley made the order.

Now, if it could be collected from the terms of his Honor's judgment, (at present reported, of course, only in an unauthorised report, but one which bears the marks of being a short-hand note), that the injunction was granted on the ground, that, a verdict having been found against the defendant on one state of ringing, the change in the mode of ringing must be treated as colourable and quasi fraudulent, the case would, however rightly decided, have established nothing new; but that does not appear to have been the ground of decision. His Honor is made to say—"In this case the plaintiff had recovered at law; but it was ingeniously argued that the present nuisance had not been tried. The defendants said, 'We were not ringing as we used to do; therefore bring your action

for this new species of ringing.' If the action were brought, the style would be altered again; and it was clear that such an argument must result in the subversion of all reason and justice." His Honor then goes on to say, in deciding on the motion, "It might be observed, that in May, 1851, the bells, according to the statements, were very large, and not of the ordinary size of district church bells in and near London, and the effect of them on the plaintiff before the trial appeared in his affidavit, where he described the noise to be so great that it was impossible to read, write, or converse, and that it was an intolerable nuisance, and, if they were permitted to be tolled, it would be impossible to continue to reside in the house. The chapel bell had been removed to the side of the house furthest from the plaintiff's dwelling, but the plaintiff now described the ringing as disturbing him and his family in their devotions, and when the more weighty bell was rung, it was a great annoyance. Then followed the allegation of the decrease in the value of his house. His Honor then referred to the affidavit of Mr. Gadsden on that point, who believed that no gentleman or lady who could afford to pay such a rent would endure such a nuisance. It might, perhaps, have been expected that more persons would have come forward on the plaintiff's behalf, but that was answered by the fact of the chief points of the case not being in controversy, otherwise doubtless more witnesses would have appeared. The affidavit of Mr. Wright stated that he was in full hearing of the bells, but did not consider them a nuisance to the neighbours generally; but, for the reasons before stated, he might be in full hearing, and yet so removed as to take pleasure in hearing them; and there was no statement how far he was off, and who the neighbours were, or how far they were removed; and that was the only contradictory affidavit. One bell weighed 9 cwt., another 4 cwt., and it was unnecessary to say that so large a bell ringing so near (not more than twenty yards from a bed-room) must be an intolerable nuisance.

sance. Be it remembered also, that the plaintiff had not gone to the bells, the bells had come to him; for thirty years he had had the enjoyment of his house in peace, and the affidavit verified the intention to continue to ring the peal, and as often and as much as the defendant thought proper. It was very creditable to the defendants not to say that it was not their intention to ring, and the affidavit must be taken as the reservation of the right, at all events, to do so. Then as to the decrease in value: true, it was no nuisance to build and shut out a beautiful prospect and erect an eyesore, but surely the extent of it might be shewn to be so great, that no respectable person would take a house under such circumstances, but one paying a small rent would put up with the annoyance. These were, at all events, the indicia of the effect. Under these circumstances, he, the Vice-Chancellor, could not better state the question than in the words of Vice-Chancellor Knight Bruce, (now one of the Lords Justices), in determining the case of *Walter v. Selfe*, (15 Jur., part 1, p. 419)—“Ought this inconvenience to be considered of a fanciful nature, or mere delicacy of feeling, or materially interfering with the comfort, not merely according to dainty habits, but the simple notions among English people?” Now he, the Vice-Chancellor, must say that on this point his opinion was against the defendants; that this was such a nuisance, and invasion of the comforts of a man’s home, that he was entitled to ask this Court to interfere. Lord Eldon used the words, ‘mischief and material injury to the comfort of those who dwell near;’ and that was the foundation of the jurisdiction, and the ground on which his Honor thought he ought to grant the injunction in this case.”

So that, in fact, his Honor decided that the new ringing was a substantive nuisance, and restrained it without sending the question to a jury. We do not venture to assert that this decision may not be good law; but it certainly carries things a step, and a tolerable large step, further than any case has yet gone; none, we believe, at least none of the leading cases, having gone further, before the establishment of the nuisance at law, than to grant an injunction when there was not merely a strong *prima facie* case of nuisance, but of irreparable injury to the plaintiff. In *Crowder v. Tinkler*, (19 Ves. 617), the case of the gunpowder mill, Lord Eldon hesitated much, and ultimately made an order which only went the length of preventing actual damage while the right was being tried at law.

Review.

Remarks on the Plea of Insanity, &c. By W. Wood, M.D. [Longman. 1861.]

THOUGH it is but a mere truism, yet it is one which it is well often to repeat, that in proportion as civilisation advances, so the care for human life and liberty increases; and therefore it is that in these days men pause before they inflict on others the loss of either life or liberty, where but half a century ago there would not have been an instant’s hesitation in the mind of any jurymen about hanging or transporting his fellow-subject. No doubt this care for human life and liberty may degenerate into what is termed, in cant phrase, a maudlin sensibility; and no doubt of late there have been many instances where jurymen, sometimes of their own mere motion, and sometimes under the influence of weak judges, have gratified an unwholesome softness of disposition at the expense of justice. But, notwithstanding these drawbacks, the desire in the public mind for something approaching certainty that the measure of punishment shall not exceed the measure of guilt, and for moderating the red-handed roughness

of our ancestors in matters of criminal jurisprudence, is growing steadily, and on the whole, we believe, with a healthy growth. Among the manifestations of it is the increasing attention paid to the subject of insanity as connected with criminal jurisprudence. It is now some years since medical writers suggested the existence of what has been termed moral insanity, as an actual disease, and since unceasing efforts have been made to introduce into criminal jurisprudence the practice of taking notice of this species of disease. As occurs in almost every instance of the promulgation of new science, the doctrine of moral insanity has been greatly misunderstood, and still more grossly misrepresented; exaggerated by well-meaning, but ignorant supporters; vilified and falsified by hot and prejudiced opponents; still it has silently worked its way towards general attention, and it is at last beginning to be considered in its true light. When physicians have spoken of moral insanity as a disease, and have stated that, in particular instances, they considered a person as having been irresponsible for his acts by reason of his being under the influence of uncontrollable morbid impulse, they never meant to assert, and in fact never did assert, any such general doctrine as that all morbid impulse towards crime is insanity, to the extent of rendering the criminal irresponsible for his acts. What they have said is, that there are states of the brain in which its functions are so deranged, that the force of the will is, by the effect of disease, suspended, or, as it were, absorbed in the force of the involuntary morbid impulse; and they have, when called as medical witnesses, endeavoured to ascertain, in the particular case, whether that was or was not the state of the criminal. They have never laid down that even confirmed lunatics are at all times irresponsible, still less that all crimes apparently motiveless are the result of insanity involving irresponsibility. What they have said is just the contrary, viz. that the mere fact of insanity ought not always to be a plea for a criminal, because, although clearly insane, his insanity might be consistent with self-control; while, on the other hand, there may be a state of insanity in which, though the intellect knows right from wrong, the power of the will to control the morbid tendency is neutralised by the cerebral derangement. It has followed from this their doctrine, that, as witnesses, they have frequently taken upon themselves to state, as a fact, the irresponsibility—that is, the incapacity for self-government—of the accused; and when they have done so, it has been objected, that to allow them to do this, is to make the medical witness the judge of the criminality of the accused, or, as the objection is usually, not without craft, worded, to make the medical witness “usurp the functions of the jury.” Now, this objection is not very far from being a simple piece of mystification, founded on a misrepresentation of the functions of a jury. The function of the jury, on a criminal trial, is to find whether the accused is guilty or not: as one step towards that finding, the jury has occasionally to ascertain whether he was a free agent or not—that is, whether he was able to control his actions; and if the finding of that fact requires the application of science, which the jurymen do not possess, they must get their knowledge from witnesses who do possess it, or they must give nonsensical verdicts. But they are not placed, in such cases, in any different position from that in which they are every day placed in civil cases, in which, before they can find a verdict, they must ascertain, and treat as a fact, some scientific conclusion, of the truth of which they are themselves wholly ignorant; and they must and do take this preliminary conclusion from the witnesses. Suppose an action for the price of a locomotive engine, and the defence is, that it will not draw the weight that it ought to draw; and the replication is, that it will do so on a proper railroad, but that the

plaintiff's railroad is badly constructed, and the friction upon it exceeds the friction on rails of the usual kind: an engineer is called, who tells the jury that the friction on well-made rails bears a given proportion of the weight moved; and that he has made experiments on the plaintiff's rails, and the friction exceeds that proportion: both these statements are inferences founded on investigations, of which the jury, from their ignorance of the subject, are incapable; they therefore take them as facts, and act upon them. A chemist, on the trial of a patent for some chemical process, tells the jury that a given gas contains so many parts of oxygen, and so many of water, and so many of some other matter, and that, combined with another gas, it will produce explosion or illumination, and they believe that, and act upon it. Indeed, in trials of patent rights, the witnesses often tell the jury, in direct terms, that the machine or apparatus used by the defendant is the same as that used by the plaintiff, which is, in truth, the very issue of fact to be left to the jury. No one ever dreams, in any of these instances, of saying that the witnesses usurp the function of the jury. Or, to come even nearer to the case of alleged irresponsibility, if A. were charged with having wounded B. by the discharge of a gun, if a witness were to say that he saw the accused with a gun in his hand, with the muzzle pointed upwards, away from B., and that C., running against A., had knocked the gun into a horizontal position, in which it had gone off, and that A. could not help it, the jury would take as a fact, from the witness, B.'s irresponsibility, and would find him not guilty.

Why, then, should there be this jealousy of the conclusions of medical men upon subjects which they have investigated and studied, and jurymen have not—questions upon which the conclusion of responsibility or irresponsibility depends upon an extent and minuteness of observation, and a capacity for appreciating the effects of disease, which none can possess without long and patient study? To require medical witnesses to confine themselves to stating the general indications and incidents of insanity, leaving the jury to find whether the accused is within those indications and incidents, is to call upon the witness to propound theories, and to leave the jury comparatively unassisted.

We have been led into this preliminary discussion by the perusal of Dr. Wood's pamphlet, in which the nature of insanity, and the practical application to criminal jurisprudence of the doctrine of moral insanity, are treated with an unusual degree of clearness and brevity, and with a calm and thoughtful impartiality, which make it altogether a tract deserving of the careful perusal of lawyers.

That our readers may not be frightened with the title of this pamphlet, and conclude, that because it proceeds from the pen of a physician, it is an attempt to lay down the doctrine of total irresponsibility in persons afflicted with any degree of insanity, we will commence by quoting a passage which will set that fear at rest.

"I am not about," says Dr. Wood, "to advocate the cause of the really criminal; on the contrary, I believe that much mischief has resulted to society from the too frequent admission of the plea of insanity. I totally repudiate the doctrine that an insane person is necessarily irresponsible. All who have had the opportunity of studying this malady know full well that, with comparatively few exceptions, insane persons are not only powerfully influenced, but materially controlled, by the same motives which influence and control those who are still mixing in the world, and who have never been suspected of any mental derangement. If patients are taught that certain acts are surely followed by certain unpleasant consequences to themselves, they do not indulge in those acts. If a patient knows that giving way to violent or mis-

chievous conduct results in the deprivation of some indulgence, or separation from his companions, a motive is given him for controlling any such disposition or propensity, and as a rule this motive is sufficiently powerful to deter him. There are, of course, still many who, as far as human discrimination can determine, are quite unable to control these propensities or inclinations, even though their indulgence affords them no gratification; but these are the exceptions, and, as regards the plea of insanity, they offer no difficulty, inasmuch as their malady is too well marked to admit of a doubt as to their real condition."

At the same time Dr. Wood does not discard the modern medical doctrine of moral insanity, and the object of his pamphlet seems to be this—partly to shew, that while that doctrine has been carried too far, and would be very mischievous if the existence of morbid impulses were relied upon as an invariable excuse for crime, yet that, on the other hand, account ought to be taken of the existence of moral insanity; partly to point out the extreme uncertainty that exists in respect to the materials at the disposal of even the practised observer, for enabling him to ascertain when there is substantial insanity involving irresponsibility, and the consequent necessity for abstaining from laying down in the administration of criminal law any general rule, and for deciding each case on its particular circumstances, with the assistance of medical evidence; and partly the suggestion of a practical mode of dealing with persons who, under the influence of moral insanity, commit crimes. The following passage will shew the writer's views of the errors and duties both of physicians and lawyers:—

"My object is to shew how difficult, I might say impossible, it is to define the limits of insanity, and how improper, therefore, to lay down any absolute rules by which to determine its existence in criminal cases. Every individual case must be decided on its own merits, independently of any general rules; for these must necessarily lead, if anything like consistency is attempted, to the punishment of some who ought to be acquitted, and the escape of others who ought to be punished.

"Seeing, then, that it is absolutely impossible to establish any standard by which to judge of the different degrees of departure from mental health, inasmuch as the ever-varying circumstances of each individual exert such a material influence on his mental condition, and really make that insanity in one which is perfectly consistent with sanity in another; seeing, also, that there are as many different degrees of mental disturbance as there are peculiarities of constitution among individuals, and that this great principle, which should have guided all deliberations and influenced every decision on the subject, has never been recognised, we can scarcely wonder at the confusion that has existed, and the mistakes that have been made, in cases where the plea of insanity has been set up.

"It cannot be denied that the attempt to prove the existence of insanity in the case of criminals who have incurred the penalty of death, has been too often made, and has too often succeeded. I do not hesitate to express my conviction, that many are now confined as criminal lunatics who have never been insane at all, and others who, if labouring under a certain amount of mental imperfection, were still perfectly able to exercise all the control which was necessary to prevent their committing deliberate and heinous crimes. It becomes, therefore, a momentous question to consider how such an error has been committed, and how it may be avoided for the future. In the first place, I conceive that the humanity of the medical witnesses has induced them to be content with too little direct evidence of insanity; they have, in fact, allowed cir-

'cumstantial evidence greater weight than it deserved, and now and then it has occurred that the accidental circumstance of some member of the family having been insane has afforded the strongest evidence that was adduced of the insanity of the accused himself; and, with very little else to corroborate the opinion, excepting, perhaps, the enormity of the crime, he has been declared innocent on the ground of insanity, because between this and capital punishment there was no alternative; but if the offence had been something less grave, and the punishment anything short of death, such evidence would have been rejected as utterly insufficient. And yet why should the same individual be acquitted of murder on account of the presumed existence of such an amount of insanity as would not have saved him from the consequences of a minor offence? In the case of insanity we must suppose that in proportion to the aggravated nature of the crime must be the amount of mental disturbance, and that the same amount which might lead the individual into the commission of a trifling offence, would not be sufficient to impel him to the highest crimes; for be it remembered, that in all—at any rate with very few exceptions, and those such as must be obvious to the most casual observer—a great amount of mental sanity, of intelligence, and therefore of responsibility, remains; and that therefore the acquittal on the ground of insanity should only be where there is some positive evidence that the offender committed the crime under the distinct influence of his malady. There are many degrees of mental imperfection which are not sufficient to purchase immunity for trifling offences, neither should they be admitted as a bar to punishment for those of a more aggravated nature. But in this argument I am supposing acquittal on the plea of insanity to be really an acquittal as far as punishment is concerned, and only involving that safe custody which the interests of society demand. This is something totally different from the present system, which commonly entails imprisonment for life amongst some of the most worthless of mankind, without any reference to the previous position in society of the unfortunate offender, or the degree of moral guilt which, under the circumstances, can be considered as properly attaching to his offence."

We have not space for any further extracts from this thoughtful and well-considered pamphlet, but we recommend it to the notice of all lawyers, who, whether from the practical direction of their professional pursuits, or from their present or possible position as legislators, may have occasion to affect, by their acts, the condition of criminals more or less insane.

London Gazettes.

TUESDAY, DECEMBER 23.

BANKRUPTS.

GEORGE MARTIN, Bishop's Stortford, Hertfordshire, sack, tarpaning, and rope manufacturer, dealer and chapman, Jan. 1 at 12, and Feb. 5 at 11, Court of Bankruptcy, London: Off. Ass. Johnson; Sol. Duffield, 14, Devonshire-st., Bishopsgate, London, and Chelmsford, Essex.—Petition filed Dec. 20.

DAVID LLOYD WILLIAMS, Cwmnantyrtaw Colliery, Thornhill, Llandilo, Carmarthenshire, and Albert-street, Camden-town, Middlesex, coal owner and share dealer, Dec. 31 at 11, and Feb. 2 at 1, Court of Bankruptcy, London: Off. Ass. Graham; Sols. Bennett & Stark, Furnival's-inn, Holborn.—Petition filed Dec. 13.

DODSHON BLAKE the younger, George-street, London, and West-street, Southwark-bridge-road, Surrey, mohair and yarn merchant, Jan. 6 at 1, and Feb. 3 at 12, Court of Bankruptcy, London: Off. Ass. Groom; Sols. Jay & Pilgrim, Norwich; Jay, 14, Bucklersbury, London.—Petition filed Dec. 13.

RICHARD NELSON REEVE, Newgate-street, London, woollendrapery, dealer and chapman, Jan. 3 at 1, and Feb. 7 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. J. & J. H. Linklater, 17, Sise-lane.—Petition dated Dec. 15.

THOMAS BURTENSHAW, Southwark-bridge-road, Surrey, builder, Jan. 2 at 2, and Feb. 6 at 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sol. Drake, 34, Bouverie-street, Fleet-street.—Petition dated Dec. 19.

EDWARD KELLY STANLEY, Norwich, carpenter and builder, Jan. 6 at 1, and Feb. 3 at 12, Court of Bankruptcy, London: Off. Ass. Edwards; Sols. Winter, Norwich; Shearman, 8, John-st., Adelphi, London.—Petition filed Nov. 27.

RICHARD WILLIAM JOHNSON, Gloucester, wine and spirit merchant, dealer and chapman, Jan. 6 and Feb. 3 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Acraman; Sol. Bevan, Bristol.—Petition filed Dec. 11.

ROBERT BARR, Glasgow, Scotland, and **JOHN SYKES**, Huddersfield, Yorkshire, cotton spinners, (carrying on business together at Prospect Mills, Huddersfield, under the name, style, or firm of "The Huddersfield Spinning Company"), Jan. 22 and Feb. 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Robinson, and Clough & Bantoft, Huddersfield; Courtenay & Compton, Leeds.—Petition dated and filed Dec. 12.

JOHN NORWOOD, Snaith, Yorkshire, corn factor, dealer and chapman, Jan. 9 and Feb. 6 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Young; Sols. Weddall & Parker, Selby; Bond & Barwick, Leeds.—Petition dated and filed Dec. 19.

THOMAS ATKINSON, Leeds, Yorkshire, grocer, dealer and chapman, Jan. 12 and Feb. 3 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Bulmer, Leeds; Marten & Co., Mincing-lane, London.—Petition dated Dec. 15.

ALEXANDER DUNBAR, Halifax, Yorkshire, boot and shoe maker, dealer and chapman, Jan. 13 at 11, and Feb. 2 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Wavell & Co., Halifax; Courtenay & Compton, Leeds.—Petition dated Dec. 8.

ROBERT SUTCLIFFE, Warrington, Lancashire, cotton manufacturer, Jan. 12 and Feb. 2 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Sale & Co., Manchester.—Petition filed Dec. 13.

JOHN SHERWIN, Liverpool, baker and flour dealer, Jan. 6 and 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sols. Fisher & Stone, Liverpool.—Petition filed Dec. 19.

JOHN WARBURTON, Liverpool, tailor and draper, Dec. 29 and Jan. 20 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Messrs. Andrews, Manchester; Dodge, Liverpool.—Petition filed Dec. 15.

JOHN THOMSON (and not **THOMPSON**, as before advertised) and **WILLIAM LEITH**, Liverpool, timber merchants and tar distillers, Dec. 31 and Jan. 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Robinson & Duke, Liverpool.—Petition filed Dec. 16.

MEETINGS.

Edward Pepper, Threadneedle-st., London, licensed victualler, Dec. 31 at 11, Court of Bankruptcy, London, aud. ac.—**F. Pratt**, Stoke-upon-Trent, Staffordshire, miller, Jan. 17 at 1, District Court of Bankruptcy, Birmingham, aud. ac.—**Henry Turner**, Wolverhampton, Staffordshire, scrivener, Jan. 12 (and not *December*, as before advertised) at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—**Henry Sanders**, Upper Thames-street, London, wholesale cheesemonger, Jan. 16 at 12, Court of Bankruptcy, London, div.—**William Ludlam Ollard**, Upwell, Cambridgeshire, auctioneer, Jan. 13 at 2, Court of Bankruptcy, London, div.—**John Griffiths**, Strand, Middlesex, linendrapery, Jan. 13 at 11, Court of Bankruptcy, London, div.—**Joseph Samuel Hodge** and **James Culpin**, New Oxford-street, Middlesex, tailors, Jan. 13 at 1, Court of Bankruptcy, London, div. sep. est. of **James Culpin**.—**Elizabeth Appleton Peakome**, Princes-street, Cavendish-square, Middlesex, saddler, Jan. 13 at 12, Court of Bankruptcy, London, div.—**Charles Moody**, Goswell-road, Clerkenwell, Middlesex, pork butcher, Jan. 13 at 11, Court of Bankruptcy, London, div.—**Edwin Parke Quadling**, Ipswich, Suffolk, railway carriage builder, Jan. 13 at half-past 11, Court of Bankruptcy, London, div.—**William Edward John**

son, New-wharf, Little Abingdon-street, Westminster, coal merchant, Jan. 13 at half-past 1, Court of Bankruptcy, London, div.—*Richard Mott*, Gracechurch-street, London, tailor, Jan. 13 at 1, Court of Bankruptcy, London, div.—*George Stringer*, Chamber-street, Goodman's-fields, Middlesex, wholesale Italian warehouseman, Jan. 13 at half-past 12, Court of Bankruptcy, London, div.—*Edwin Hyrons*, John-street, Tottenham-court-road, Middlesex, pianoforte manufacturer, Jan. 13 at half-past 1, Court of Bankruptcy, London, div.—*John Welch*, Ashby-de-la-Zouch, Leicestershire, draper, Jan. 9 at 12, District Court of Bankruptcy, Nottingham, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Joseph Marriott, Gracechurch-street, London, oil and Italian warehouseman, Jan. 15 at 12, Court of Bankruptcy, London.—*Edwin Parke Quadling*, Ipswich, Suffolk, railway carriage builder, Jan. 13 at half-past 11, Court of Bankruptcy, London.—*William Stephen Mummary*, Avery-row, Bond-street, Middlesex, paper stainer, Jan. 15 at 2, Court of Bankruptcy, London.—*Edward Jones*, Strand, Middlesex, woollen draper, Jan. 14 at 1, Court of Bankruptcy, London.—*Charles Read*, Great Grimshy, Lincolnshire, wine merchant, Jan. 21 at half-past 12, District Court of Bankruptcy, Kingston-upon-Hull.—*William Plaister* and *Mary Plaister*, Wickwar, Gloucestershire, and Bristol, cheese factors, Jan. 20 at 11, District Court of Bankruptcy, Bristol.—*Henry Thompson*, Belper, Derbyshire, draper, Jan. 23 at 12, District Court of Bankruptcy, Nottingham.

To be granted, unless an Appeal be duly entered.

John Barker, Exmouth-street, and Pleasant-row, Clerkenwell, Middlesex, cheesemonger.—*James Samuel Turner*, Woolwich, Kent, surgeon.—*Edwin Miles*, Miles-terrace, East Greenwich, Kent, builder.—*William Gray*, Sunderland, Durham, draper.—*John Whitfield* and *George James Whitfield*, Lamb's Conduit-street, Middlesex, cheesemongers.—*Edward Jones*, Church-street, Blackfriars-road, Surrey, carrier.—*James Pazman* and *Catherine Pazman*, Hare-street, Bethnal-green, Middlesex, silk dyers.—*John Paul*, Oxford-street, Middlesex, milliner.—*John Cook*, Assembly-row, Mile-end-road, Middlesex, builder.—*Augustus Bozzi Granville*, Wembley, near Harrow-on-the-Hill, and Piccadilly, Middlesex, boarding and lodging-house keeper.—*Thomas Marriott*, Leighton Buzzard, Bedfordshire, seed merchant.—*J. Thompson*, Leeds, Yorkshire, wholesale and retail glass dealer.

PETITION ANNULLLED.

Rich. Wm. Dadd, Chatham, Kent, victualler and builder.

PARTNERSHIP DISSOLVED.

Richard Barker and *John Fenwick*, North Shields, Northumberland, (under the style or firm of *Barker & Fenwick*), attorneys at law and solicitors.

SCOTCH SEQUESTRATIONS.

William Young, Airdrie, baker.—*Thomas Bond*, Burnbrae, Dumbartonshire, bleacher.—*James Wilson*, Glasgow, sugar refiner.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Pybus, Idle, Calverley, Yorkshire, shoemaker, Dec. 30 at 11, County Court of Yorkshire, at Bradford.—*Seth Clark*, Calverley, Yorkshire, shoemaker, Dec. 30 at 11, County Court of Yorkshire, at Bradford.—*Thomas Whitaker*, Shipley, near Bradford, Yorkshire, tailor and grocer, Dec. 30 at 11, County Court of Yorkshire, at Bradford.—*William Anderson*, Bradford, Yorkshire, carrier, Dec. 30 at 11, County Court of Yorkshire, at Bradford.—*Geo. Hasler*, South Stoneham, Hampshire, butcher, Jan. 6 at 10, County Court of Hampshire, at Southampton.—*Bernard M'Kay*, Southampton, draper, Jan. 6 at 10, County Court of Hampshire, at Southampton.—*Jason Cadge*, Cavendish, Suffolk, farming bailiff, Jan. 14 at 12, County Court of Suffolk, at Sudbury.—*G. Bennett*, St. Austell, Cornwall, schoolmistress, Jan. 8 at 10, County Court of Cornwall, at St. Austell.—*M. Bennett*, widow, St. Austell, Cornwall, in no trade, Jan. 8 at 10, County Court of Cornwall, at St. Austell.—*M. Askew*, Whittington, Derbyshire, miller, Jan. 21 at 11, County Court of Derbyshire, at Chesterfield.—*Ralph Geeson*, Sheffield, Yorkshire, brewer's clerk, Jan. 21 at 11, County Court of

Derbyshire, at Chesterfield.—*James Wilcockson*, Brampton, Derbyshire, publican, Jan. 21 at 11, County Court of Derby, at Chesterfield.—*John A. Wetherell*, Bishopwearmouth-Durham, cabinet maker, Jan. 21 at 10, County Court of Durham, at Sunderland.—*Joseph Parkin*, Seaham Harbour, Durham, grocer, Jan. 22 at 10, County Court of Durham, at Durham.—*Richard Hartley*, Cheetham, Manchester, commission agent, Jan. 9 at 1, County Court of Lancashire, at Manchester.—*Thomas Walker*, Manchester, baker, Jan. 9 at 1, County Court of Lancashire, at Manchester.—*T. Harper*, Ruardean, Gloucestershire, haulier, Jan. 17 at 10, County Court of Herefordshire, at Ross.—*Thomas Tunstall*, Stoke-upon-Trent, Staffordshire, dealer in hay, Dec. 31 at 10, County Court of Staffordshire, at Hanley.—*James Brownson*, Kingswinford, Staffordshire, saddler, Jan. 27 at 10, County Court of Worcestershire, at Stourbridge.—*Robert Taylor*, Shipley, near Barnard Castle, Durham, quarryman, Jan. 16 at 10, County Court of Durham, at Bishop Auckland.—*E. Semmons*, Gwenap, Cornwall, draper, Jan. 15 at 11, County Court of Cornwall, at Redruth.—*R. Pryke*, Bulmer, Essex, blacksmith, Jan. 14 at 12, County Court of Suffolk, at Sudbury.—*William Barratt*, Whitgift, Yorkshire, plumber, Dec. 30 at 12, County Court of Yorkshire, at Goole.—*Edward Parry*, Carnarvon, grocer, Jan. 26 at 10, County Court of Carnarvonshire, at Carnarvon.—*Wm. Hughes*, Carnarvon, innkeeper, Jan. 26 at 10, County Court of Carnarvonshire, at Carnarvon.—*James Breeding*, Portsea, Hampshire, gardener, Jan. 13 at 10, County Court of Hampshire, at Portsmouth.—*Caroline Dimmer*, Portsea, Southampton, grocer, Jan. 13 at 10, County Court of Hampshire, at Portsmouth.—*Charles Russell*, Portsea, Southampton, fishmonger, Jan. 13 at 10, County Court of Hampshire, at Portsmouth.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as hereinafter mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 2 at 11, before the CHIEF COMMISSIONER.

J. Hayes, Turner's-hill, Cheshunt, Hertfordshire, poultryer.

Jan. 6 at 10, before Mr. Commissioner LAW.

S. S. Pearson, Long-acre, Covent-garden, Middlesex, out of business.

Jan. 7 at 11, before the CHIEF COMMISSIONER.

Charles A. Poole, New Gloucester-street, Hoxton New-town, Shoreditch, Middlesex, out of business.—*Amos Sanders*, Abbey-street, Bethnal-green, Middlesex, cabinet maker.

Jan. 8 at 10, before Mr. Commissioner LAW.

Wm. Ward, Peter-street, Saffron-hill, Holborn, Middlesex, out of business.—*Henry C. Gee*, Maidenhead-court, Aldersgate-street, London, out of business.

Saturday, Dec. 20.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

William Thos. Quick, Coleman-street-buildings, Moorgate-street, London, carpenter: in the Debtors Prison for London and Middlesex.—*Alfred Thos. Batchelor*, Dean-street, New North-road, Shoreditch, Middlesex, brass founder: in the Debtors Prison for London and Middlesex.—*Charles Brock*, Carlton-place, Old Kent-road, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*E. Wallis*, Wellington-street, Waterloo-green, Middlesex, leather seller: in the Debtors Prison for London and Middlesex.—*H. D. Stone*, Victoria-cottages, Ernest-street, Grange-road, Bermondsey, Surrey, egg merchant: in the Debtors Prison for London and Middlesex.—*Saml. Lovering*, Judd-place West, New-road, Middlesex, coal dealer: in the Debtors Prison for London and Middlesex.—*Frederick H. Harwood*, Union-cottages, Moor-terrace, Park-road, New Peckham, Surrey, licensed victualler: in the Debtors Prison for London and Middlesex.—*John Benton*, Acton-st., Gray's-inn-road, Middlesex, in no trade: in the Debtors Prison for London and Middlesex.—*Henry Bird*, Fulham, Middlesex, surgeon: in the Debtors Prison for London and Middlesex.—*J. Cockin*, Sheepridge, near Huddersfield, Yorkshire, woollen spinner: in the Gaol of York.—*Robert Johnson*, Pendleton, Salford, Lancashire, bookkeeper: in the Gaol of Lancaster.—*William*

Maddott, Castle Donnington, Leicestershire, druggist: in the Gaol of Leicester.—*John Stephen Orford*, Salford, Lancashire, paperhanger: in the Gaol of Lancaster.—*William Reeves*, Mansfield, Nottinghamshire, lime burner: in the Gaol of Nottingham.—*Thomas Smethurst*, Chorlton-upon-Medlock, Manchester, cork manufacturer: in the Gaol of Lancaster.—*John Couzens*, Market Weighton, Yorkshire, grocer: in the Gaol of York.—*Samuel R. Kedward*, Bristol, fly proprietor: in the Gaol of Bristol.—*John Murray*, Sunderland, Durham, ship chandler: in the Gaol of Durham.—*Henry Orchard*, Birmingham, builder: in the Gaol of Coventry.—*J. Smith*, Milbarngate, Durham, miller: in the Gaol of Durham.—*W. Stubbs*, Birmingham, brass founder: in the Gaol of Coventry.—*Wm. Wilson*, Hartlepool, Durham, grocer: in the Gaol of Durham.—*Henry Banes*, Brompton, Kent, shoemaker: in the Gaol of Maidstone.—*Elizabeth Coody*, Sheerness, Kent, licensed victualler: in the Gaol of Maidstone.—*John Dickson*, Sunderland, Durham, innkeeper: in the Gaol of Durham.—*Benjamin Field* the younger, Tunbridge Wells, Kent, clock maker: in the Gaol of Maidstone.—*Fred. Leatherbarrow*, Hulme, Manchester, clerk in an insurance office: in the Gaol of Lancaster.—*Thomas H. Storey*, St. Helen's, Auckland, Durham, civil engineer: in the Gaol of Durham.—*John Albinson* the younger, Bolton-le-Moors, Lancashire, iron-founder: in the Gaol of Lancaster.—*John Pilsbury*, Loxells, near Birmingham, builder: in the Gaol of Coventry.—*John Robinson*, Wakefield, Yorkshire, printer: in the Gaol of York.—*Joseph Varley*, Manchester, scaleboard cutter: in the Gaol of Manchester.—*Anne Wagsstaff*, Birmingham, retail brewer: in the Gaol of Warwick.—*James Hills*, Hastings, Sussex, linendraper: in the Gaol of Dover.—*Francis Garner*, Dudley, Worcestershire, confectioner: in the Gaol of Worcester.—*John Nicholls*, Kidlington, Oxfordshire, ironmonger: in the Gaol of Oxford.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 6 at 11, before the CHIEF COMMISSIONER.

Wm. Wooding, Fenchurch-st., London, builder.

Jan. 6 at 10, before Mr. Commissioner LAW.

Thomas W. T. Prescott, Belgrave-street South, Pimlico, Middlesex, in no profession.

Jan. 8 at 11, before Mr. Commissioner PHILLIPS.

Wm. Best, Upper North-place, Gray's-inn-road, Middlesex, tailor.—*James Rhodes*, Horselydown-lane, and Tooley-street, Surrey, ship agent.—*John Marshall*, Mount-place, Walworth-road, Surrey, staymaker.—*T. Bramston*, Jealous-row, New-road, St. George's-in-the-East, Middlesex, builder.—*Michael Gashion*, Cross-street, Hatton-garden, Middlesex, iron broker.

Jan. 8 at 10, before Mr. Commissioner LAW.

Adjourned Case.

Joseph J. Dell, York-place, Kennington-road, Lambeth, Surrey, commission agent.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Herefordshire, at HEREFORD, Jan. 8 at 10.

Wm. B. Cliffe, Cradley, of no business.—*Thos. Maddocks* the younger, Perthethar Mill, Little Dew Church, out of business.

At the County Court of Lancashire, at MANCHESTER, Jan. 9 at 11.

Joseph Varley, Manchester, scaleboard cutter.

At the County Court of Hampshire, at PORTSMOUTH, Jan. 13.

Thomas Wavell, Fratton Path, Landport, shipwright in her Majesty's dockyard at Portsmouth.

At the County Court of Leicestershire, at LEICESTER, Jan. 14 at 10.

Sophia Blackwell, widow, Walton, out of business.

At the County Court of Merionethshire, at DOLGELLY, Jan. 17 at 11.

Morris Jones, Festiniog, draper.

FRIDAY, DECEMBER 26.

BANKRUPTS.

TIMOTHY TILDEN, Hayes, Kent, maltster, brewer, and dealer in hops, Jan. 10 and Feb. 7 at 2, Court of Bankruptcy, London: Off. Ass. Nicholson; Sol. Downes, Bromley, Kent.—Petition dated Dec. 16.

HENRY ARMSTRONG, Norwich, linendraper, Jan. 1 at 1, and Feb. 5 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Jay & Pilgrim, Norwich; Jay, 14, Bucklersbury.—Petition filed Dec. 19.

CHARLES LOWE MEATES, Conduit-street, Hanover-square, Middlesex, grocer and oilman, dealer and chapman, Jan. 9 at half-past 10, and Feb. 6 at half-past 1, Court of Bankruptcy, London: Off. Ass. Whitmore; Sols. Linklater & Co., 17, Size-lane, Bucklersbury.—Petition dated Dec. 23.

RICHARD TALBOT, Lincoln, dealer in galvanic machines and drugs, dealer and chapman, Jan. 14 at 12, and Feb. 11 at 11, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sols. Tweed, Lincoln; Courtenay & Compton, Leeds.—Petition dated Dec. 20.

WILLIAM MALLIBAND, Great Claybrook, Leicestershire, fellmonger, Jan. 8 and 29 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Valpy; Sols. Motteram & Co., Birmingham; Becke, 44, Bedford-row, London.—Petition dated Nov. 29.

FRANCIS TANDY, Stourbridge, Worcestershire, and Brierley-hill, Staffordshire, ironmonger, dealer and chapman, Jan. 13 and 31 at half-past 10, District Court of Bankruptcy, Birmingham: Off. Ass. Christie; Sols. Corser, Stourbridge; Bloxham, Birmingham.—Petition dated Dec. 20.

HUGH DIXON and **LAUNCELOT DIXON**, Liverpool, merchants, dealers and chapmen, (trading under the firm of Dixon, Brothers), Jan. 13 and 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sol. Holden, Liverpool.—Petition filed Dec. 24.

ROBERT M'KEAN, Liverpool, and Birkenhead, Cheshire, contractor, engineer, and iron house manufacturer, dealer and chapman, (trading under the style or firm of Robert M'Kean & Co.), Jan. 13 and 27 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Morgan; Sol. Hassall, Liverpool.—Petition filed Dec. 24.

WILLIAM GOSSAGE, Widnes, Prescott, Lancashire, manufacturing chemist, Jan. 7 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Norris, Liverpool.—Petition filed Dec. 24.

WILLIAM FARRELL, Liverpool, provision dealer and grocer, Jan. 7 and 29 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Atkinson, Liverpool.—Petition filed Dec. 24.

MEETINGS.

Philip Rufford, *Fras. Rufford*, and *Chas. John Wragge*, Stourbridge, Worcestershire, bankers, Jan. 6 and 7 at 12, Talbot Hotel, Stourbridge, pr. d.—*Robert Dodd*, Sheerness, Kent, builder, Jan. 20 at 11, Court of Bankruptcy, London, ex.—*H. Sanders*, Upper Thames-street, London, wholesale cheesemonger, Jan. 16 at 12, Court of Bankruptcy, London, aud. ac.—*Thos. Buckland*, Queenhithe, London, wine merchant, Jan. 16 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Thomas Eason*, Milton-next-Sittingbourne, Kent, brewer, Jan. 15 at 11, Court of Bankruptcy, London, aud. ac.—*John Fairbrother*, Brighton, Sussex, cowkeeper, Jan. 15 at 1, Court of Bankruptcy, London, aud. ac.—*J. T. Coulthred* the younger and *Wm. Dyer*, Lombard-street, Union-street, Southwark, Surrey, whitelead makers, Jan. 16 at 11, Court of Bankruptcy, London, aud. ac.—*George Mahon* and *Wm. S. Mummery*, Avery-row, Bond-st., Middlesex, paper stainers, Jan. 15 at 2, Court of Bankruptcy, London, aud. ac.—*Edw. Churton*, Holles-street, Cavendish-square, Middlesex, bookseller, Jan. 9 at 1, Court of Bankruptcy, London, aud. ac.—*John Valentine*, Northampton, tea dealer, Jan. 10 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Henry Beal*, Shoe-lane, Fleet-street, London, bookseller and publisher, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.—*William Hero Luckins*, Kennington-row, Kennington, Surrey, coachmaker, Jan. 10 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Cook*, Assembly-row, Mile-end-road, Middlesex, builder, Jan. 10 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Thomas Wallis* the younger and

Swan Wallis, Leeds, Yorkshire, linendrapers, Jan. 10 at half-past 1, Court of Bankruptcy, London, aud. ac.—*John Paul*, Oxford-street, Middlesex, milliner, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.—*Geo. Noek and J. Williams*, Frith-st., Soho, Middlesex, goldsmiths, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.; Jan. 16 at half-past 11, div.—*Wm. Strange* the younger, Paternoster-row, London, bookseller, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.—*John Griffiths*, Strand, Middlesex, linendraper, Jan. 9 at 11, Court of Bankruptcy, London, aud. ac.—*C. Moody*, Goswell-road, Clerkenwell, Middlesex, pork butcher, Jan. 9 at 11, Court of Bankruptcy, London, aud. ac.—*William E. Johnson*, New Wharf, Little Abington-st., Westminster, coal merchant, Jan. 9 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Elizabeth A. Peakome*, Princes-st., Cavendish-square, Middlesex, saddler, Jan. 9 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Charles Christopher Cussack Geary*, Colchester, Essex, cheesemonger, Jan. 9 at 1, Court of Bankruptcy, London, aud. ac.—*Wm. Benning*, Fleet-st., London, law bookseller, Jan. 10 at 11, Court of Bankruptcy, London, aud. ac.; Jan. 16 at half-past 1, div.—*Thomas E. Southes*, Fleet-street, London, advertising agent, Jan. 9 at 12, Court of Bankruptcy, London, aud. ac.—*Edwin P. Quadling*, Ipswich, Suffolk, railway carriage builder, Jan. 9 at 11, Court of Bankruptcy, London, aud. ac.—*Wm. L. Ollard*, Upwell, Cambridgeshire, auctioneer, Jan. 9 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Duncan McVicar*, Liverpool, merchant, Jan. 8 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*William Firth*, *Henry Firth*, *Grace Wilson*, *Joseph Ryley*, and *Joshua Coates*, Stanningley, Yorkshire, scribbling millers, Jan. 26 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Stephen Hipkins*, Prince's End, Sedgley, Staffordshire, grocer, Jan. 15 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Whitehead*, Hanley, Staffordshire, merchant, Jan. 15 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac. and fin. div.—*Jane Bolton*, Pall-mall, Westminster, Middlesex, tailor, Jan. 16 at half-past 11, Court of Bankruptcy, London, div.—*Thomas Earle*, Castle-street, Long-acre, Middlesex, funeral carriage master, Jan. 16 at 11, Court of Bankruptcy, London, div.—*Richard Gatehouse*, *Richard Darch*, and *G. Wilkins*, Upper Lisson-street, Middlesex, timber merchants, Jan. 16 at 12, Court of Bankruptcy, London, div.—*Wm. H. Bonds*, Creek-road, Deptford, Kent, licensed victualler, Jan. 19 at 11, Court of Bankruptcy, London, div.—*Edward Ritherdon*, Mill-wall, Poplar, Middlesex, shipbuilder, Jan. 19 at 2, Court of Bankruptcy, London, div.—*Henry C. Frost*, Russell-sq., Middlesex, boarding-house keeper, Jan. 16 at 11, Court of Bankruptcy, London, div.—*Thomas Radford*, Stanford-le-Hope, Essex, apothecary, Jan. 16 at 11, Court of Bankruptcy, London, div.—*Allen Colyer* the younger, Dover, Kent, jeweller, Jan. 16 at 12, Court of Bankruptcy, London, div.—*Benj. Lindsey*, Market Deeping, Lincolnshire, draper, Jan. 23 at 12, District Court of Bankruptcy, Nottingham, aud. ac. and div.—*Robert Craig*, Brynmawr, Breconshire, draper, Jan. 23 at 11, District Court of Bankruptcy, Bristol, div.—*David Ion Wyatt* and *Eliza Underwood*, Bristol, hat manufacturers, Jan. 22 at 11, District Court of Bankruptcy, Bristol, div.—*John W. Hance*, Liverpool, architectural ornament manufacturer, Jan. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*John Macaire*, *James Linneman*, and *Joseph Charles Berger*, Liverpool, merchants, Jan. 20 at 11, District Court of Bankruptcy, Liverpool, fin. div.—*Thomas Gilbertson*, Birkenhead, Cheshire, flour dealer, Jan. 20 at 11, District Court of Bankruptcy, Liverpool, div.—*James Payant*, Manchester, and Lisbon, Portugal, merchant, Jan. 19 at 12, District Court of Bankruptcy, Manchester, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

W. Taylor and *J. Wyld*, Wood-st., London, and Lock's-fields, Walworth, Surrey, flock manufacturers, Jan. 17 at 11, Court of Bankruptcy, London.—*John Harrison*, Great St. Helen's, London, drysalers, Jan. 16 at 1, Court of Bankruptcy, London.—*Thomas Buckland*, Greenhithe, London, wine merchant, Jan. 16 at half-past 11, Court of Bankruptcy, London.—*James Morison Wilson*, Eton, Buckinghamshire, bookseller, Jan. 19 at 1, Court of Bankruptcy, London.—*W. Geo. Barley*, Northampton, draper, Jan. 19 at 12, Court of Bankruptcy, London.—*John Robert Taylor*, Chancery-lane and Red Lion-square, and Cannon-row, Westminster, Middle-

sex, stationer, Jan. 15 at 11, Court of Bankruptcy, London.—*John Lane*, High-street, Marylebone, Middlesex, tailor, Jan. 15 at 12, Court of Bankruptcy, London.—*E. Solomon*, Haydon-square, Minorities, Middlesex, jeweller, Jan. 17 at 12, Court of Bankruptcy, London.—*John Johnson*, Liverpool, and Seacombe, Cheshire, grocer, Jan. 19, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

James Stevenson, Liverpool, merchant.—*John Marten Wood*, Barbican, London, victualler.—*Jos. Raphael*, Liverpool, jeweller.—*George Darnett Robinson*, Manchester, coach builder.—*Wm. Shaw* and *Samuel Shaw*, Upper Mill, and Grasscroft within Saddleworth, Yorkshire, flag and slate merchants.

SCOTCH SEQUESTRATIONS.

D. Campbell & Co., Glasgow, saddlers.—*Andrew Stewart*, Calderbank, Lanarkshire, innkeeper.—*David Millie* and *Wm. Millie*, Pathhead, Fifeshire, manufacturers.—*A. Learmouth Cameron*, Loundsale, near Paisley, merchant.—*John Ingram*, Gardentown, Gavery, Banffshire, draper.—*Jos. Martindale*, Broomfield, near Glasgow, contractor.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

John Farmer, Bristol, mason, Dec. 31 at 11, County Court of Gloucestershire, at Bristol.—*Leonard Pegler*, Bristol, brass founder, Jan. 12 at 11, County Court of Gloucestershire, at Bristol.—*Francis Newton Thompson*, Horning, Norfolk, publican, Jan. 17 at 10, County Court of Norfolk, at North Walsham.—*John Graham*, Wigton, Cumberland, grocer, Jan. 24 at half-past 10, County Court of Cumberland, at Wigton.—*Robert Gilbert*, Bembane, Norfolk, millwright, Jan. 20 at 10, County Court of Norfolk, at Attleborough.—*John Cushing*, Fakenham, Norfolk, brazier, Jan. 14 at 10, County Court of Norfolk, at Little Walsingham.—*Hugh Ward*, Kingston-upon-Hull, pilot, Jan. 10 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Wm. Grainge*, Gravesend, Kent, retail dealer in beer, Jan. 10 at 10, County Court of Kent, at Gravesend.—*James Peters*, Whitwick, Leicestershire, spar manufacturer, Jan. 13 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.—*Joseph Battiscombe*, Topham, Devonshire, fish dealer, Jan. 10 at 10, County Court of Devonshire, at Exeter.—*John Child Horwood*, Alton, Southampton, carpenter, Jan. 20 at 11, County Court of Hampshire, at Alton.—*Jos. Bradford*, Wolston, near Coventry, Warwickshire, grocer, Jan. 19 at 1, County Court of Warwickshire, at Rugby.—*John Stiles* the younger, Lutterworth, Leicestershire, out of business, Jan. 20 at 11, County Court of Leicestershire, at Lutterworth.—*John Amos Howe*, Bristol, mason, Jan. 7 at 11, County Court of Gloucestershire, at Bristol.—*Thomas Kempster Halls*, Heavitree, Devonshire, drilling master, Jan. 10 at 10, County Court of Devonshire, at Exeter.—*William Smith*, Kingston-upon-Hull, grocer, Jan. 10 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*George Thorne* the elder, East Bagborough, Lydeard, Somersetshire, builder, Jan. 13 at 10, County Court of Somersetshire, at Taunton.—*Robt. Francis Walker*, Grays, Essex, chief officer in the coast guard service, Jan. 10 at 10, County Court of Kent, at Gravesend.—*Geo. Leng*, Kingston-upon-Hull, professor of music, Jan. 10 at 10, County Court of Yorkshire, at Kingston-upon-Hull.—*Mordecai Hale*, Cambridge, Slimbridge, Gloucestershire, cooper, Jan. 26 at 11, County Court of Gloucestershire, at Dursley.—*William Leese*, Washerwall, Stoke-upon-Trent, Staffordshire, cordwainer, Dec. 31 at 10, County Court of Staffordshire, at Hanley.—*Joseph Walker*, Worthington, Leicestershire, butcher, Jan. 13 at 10, County Court of Leicestershire, at Ashby-de-la-Zouch.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 9 at 11, before the CHIEF COMMISSIONER.

James Walker, Upper Symonds-street, Chelsea, Middlesex.—*Sydney Howell*, Great College-street, St. John's, Westminster, Middlesex, architect.

Jan. 9 at 10, before Mr. Commissioner LAW.
John Cunningham, Kent-street, Southwark, Surrey, licensed victualler.

Jan. 10 at 11, before Mr. Commissioner PHILLIPS.
Edw. Reuben Russell, Cleave-place, Larkhall-lane, Surrey, attorney and solicitor.—*Francis John Warne*, Woolwich, Kent, upholsterer.—*John Paterson*, Pilgrim-street, Upper Kennington-lane, Surrey, reporter on the Globe newspaper.—*John Blackman* the elder, Worcester-street, Union-street, Borough, Southwark, Surrey, commission agent.—*Joseph Barrett*, York-street, London-road, Southwark, Surrey, biscuit baker.

Jan. 12 at 10, before Mr. Commissioner LAW.
Lewis Lazarus, Samuel-street, Cannon-street-road, Middlesex, shoemaker.—*Edward Joshua Williams*, Corporation-row, Clerkenwell, Middlesex, assistant to a shirtmaker.

Jan. 12 at 11, before Mr. Commissioner PHILLIPS.
Peter Evans Pullman, Jewin-street, Aldersgate-street, London, greengrocer.—*Samuel Francis Braines*, Albemarle-street, Clerkenwell, Middlesex, dealer in fish.—*Mary Ann Hill*, widow, Claremont-road, Kingston, Surrey, in no employment.—*Thomas Richard Leslie Pilkington*, Bower-street, Albert-square, Commercial-road East, Middlesex, coal merchant.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 9 at 11, before the CHIEF COMMISSIONER.
Edw. Wallis, Wellington-st., Waterloo-town, Bethnal-green, Middlesex, leather seller.—*Richard Kay*, Ebury-street, Finsbury, Middlesex, dressmaker.—*William Thomas Quick*, Coleman-street-buildings, Moorgate-street, London, carpenter.

Jan. 9 at 10, before Mr. Commissioner LAW.
John Woods, Bartholomew-close, London, designer.—*Hen. Dormer Stone*, Victoria-cottages, Ernest-street, Grange-road, Bermondsey, Surrey, egg merchant.—*Samuel East*, Artillery-lane, Bishopsgate-street, London, licensed victualler.

Adjourned Case.

Robt. Broad, Swan-st., Dover-r.d., Surrey, out of employ.
Jan. 10 at 11, before Mr. Commissioner PHILLIPS.
Charles Brock, Carlton-place, Old Kent-road, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Durham, at DURHAM, Jan. 9.
Thomas Hindmarsh Storey, St. Helen's, Auckland, civil engineer.—*John Dickson*, Sanderland, innkeeper.—*William Wilson*, Hartlepool, grocer.—*John Smith*, Durham, miller.

At the County Court of Leicestershire, at LEICESTER, Jan. 14 at 10.

William Mabbott, Castle Donnington, druggist.

At the County Court of Gloucestershire, at BRISTOL, Jan. 14 at 11.

Samuel Richard Kedward, Bristol, fly proprietor.

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The Jurist

No. 782—Vol. XV.

JANUARY 3, 1852.

PRICE 1s.

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LONDON, JANUARY 3, 1852.

THE passing of Lord Campbell's acts for the amendment of the criminal law will materially diminish the number of cases reserved for the Court of Criminal Appeal, although the extreme ingenuity which is displayed in such matters will probably retain some business for that tribunal. It is to be hoped that not only will formal objections be lessened, but that the form of indictments will also be improved and shortened, so that there may not be any foundation for the remark lately made by an eminent lawyer, that "the only effect of Lord Campbell's statutes for amending the criminal law was to add another count to indictments."

We propose on this occasion to review the cases that have been decided by the Court of Criminal Appeal since our last notice of them in March, 1851*.

The case of *Reg. v. Hill* (15 Jur., part 1, p. 470) has an important bearing upon the law of evidence, and decides that if an insane person is tendered as a witness, it is for the judge at the trial to determine whether he is competent to be a witness, and for the jury to determine upon the credit that is to be given to his testimony. There, upon an indictment against an attendant of a lunatic asylum for the manslaughter of an insane patient, another patient was called for the prosecution. The witness was a monomaniac labouring under one delusion—namely, that he was possessed by some thousands of spirits; but medical witnesses stated their belief to be, that he was capable of giving an account of any transaction that happened before his eyes; and he appeared to understand the obligation of an oath, and to believe in future rewards and punishments. Coleridge,

J., admitted his testimony, and the Court above held that he was right in doing so. It has been held to be an improper practice to put the depositions into the hands of a witness on cross-examination, telling him to read over the evidence which he had given before the magistrates, and then asking him whether he adhered to his present statement, without putting the depositions in evidence. (*Reg. v. Ford and Others*, 15 Jur., part 1, p. 406). The depositions of a witness so ill as to be unable to travel are admissible in evidence (under the 11 & 12 Vict. c. 42, s. 17) before the grand jury, as well as before the petty jury; and it would seem that no objection can be taken to the evidence on which the grand jury find a bill, as it is found on the oath of the grand jury. (*Reg. v. Clements*, 15 Jur., part 1, p. 407). By the 14 & 15 Vict. c. 19, s. 9, if, upon the trial of any person, he shall "give evidence" of his good character, the prosecutor, "in answer thereto," may give evidence of his former conviction for felony before the verdict is given; and it has been held, that if the prisoner or his counsel elicit evidence which tends to represent the prisoner as a person of good character, although such evidence be obtained upon cross-examination of a witness for the prosecution, this is "giving evidence" within the section. (*Reg. v. Shrimpton*, 15 Jur., part 1, p. 1089). The relevancy of evidence was discussed in the case of *Reg. v. Oddy*, (15 Jur., part 1, p. 517), in which the Court held, that, upon an indictment for receiving stolen goods, evidence cannot be given on the part of the prosecution to prove the scienter, that on a previous occasion other stolen goods, the property of different owners, had been found in the possession of the prisoner. It would be different if they had been stolen from the same person as the owner of the goods immediately in question, (*Reg. v. Dunn*, W.S.L. Moo. C. C. 146), or if the felonies were so connected as to form one transaction. (*Reg. v. Mansfield*, Car. & M. 140). In the principal case Lord Campbell said, "With respect to the cases cited in reference to the

* Ante, p. 74. The cases of *Reg. v. Kealey* and *Reg. v. Dovey*, there cited, have been since reported in 15 Jur., part 1, p. 230. The latter case, in which it was held, that, under an indictment for jointly receiving stolen goods, the prisoners could not be convicted upon proof of separate acts of receiving, is now provided against by sect. 14 of the 14 & 15 Vict. c. 100.

vious utterings, upon an indictment for uttering forged notes, I have always thought that those decisions go a great way; and I am not disposed to adhere to the principle on which they rest in all cases. In the case of uttering forged notes, evidence of that description may tend to shew that the prisoner was skilful in handling forged paper, and the jury may be led to the inference, from that fact, that he knew that the particular notes were forged; but how does the possession of one parcel of goods that may have been stolen prove the scienter as to others?" We may here notice the case of *Reg. v. Warringham*, (15 Jur., part 1, p. 318), in which Parke, B., held, at the Surrey Assizes, that in order to render a confession by a prisoner admissible, the prosecution must shew affirmatively, to the satisfaction of the judge, that it has not been made under the influence of an improper inducement; and if this appear doubtful, the confession ought to be rejected. The learned judge also decided that the prosecutor's wife, who was concerned in the management of his business, must be looked on as a person in authority, for the purpose of holding out an inducement, so as to render a confession inadmissible. An agreement to allow a land bailiff a portion of the annual profits of land for his management thereof was held to amount to a contract of service, and not of partnership, and to be exempt from stamp duty, the bailiff being a "labourer." The document was admitted on a charge of embezzlement; and Lord Campbell said, "It is very well worthy of consideration whether it would not be advisable, in some future act for the amendment of the criminal law, to introduce a clause rendering documents admissible in evidence in criminal cases without being stamped." (*Reg. v. Wortley*, 15 Jur., part 1, p. 1137). It appears that the Crown is bound by the stamp laws upon a criminal trial. (*Reg. v. Gilson*, Russ. & R. C. C. 138; sed quære?) It has been decided that the question, whether a word is idem sonans, is one for the jury, and not for the Court. (*Reg. v. Davis*, 15 Jur., part 1, p. 546).

It is now clearly decided, under Lord Campbell's Act, (14 & 15 Vict. c. 19, s. 9), that the proper course, when a prisoner is charged with a felony in an indictment containing also a count charging a previous conviction, is to arraign him on the whole indictment; but when he is given in charge to the jury, the part alleging the previous conviction is not to be mentioned to them; if they find him guilty, the jury are not to be sworn afresh, nor can there then be any challenge. (*Reg. v. Key*, 15 Jur., part 1, p. 1065; *Reg. v. Shuttleworth*, Id. 1066).

Two cases have arisen upon the relation of parent and child—the first deciding that a pauper, who has not the means of defraying the expenses of his deceased child's funeral, is not liable to be indicted for a misdemeanour in allowing the body to remain unburied, even though a nuisance should be thereby occasioned; and if the money for the expenses is offered to him as a loan, he is not bound to accept it, and thus incur a debt. (*Reg. v. Vann*, 15 Jur., part 1, p. 1080). The second, that an indictment charging a woman with deserting her bastard child, with intent to throw the burthen of its maintenance on the parish, is bad, unless it contain an averment that she intended to, or did, injure the child by such abandonment, or that she had the means of supporting it. (*Reg. v. Hogan*, 15 Jur., part 1, p. 806).

Larceny may be committed with respect to reclaimed pigeons, although they have the means of ingress and egress from the dovecote to the open air at pleasure. (*Reg. v. Cheafor*, 15 Jur., part 1, p. 1065). Where a person was employed by a tailor to sell clothes, the price of each article being fixed, and he was to have 3s. in the pound on the amount received, and to bring back the remainder of the clothes which were unsold, and the person so employed, having received a parcel of clothes on these terms, pawned a portion for his own benefit, and afterwards fraudulently misappropriated the residue, the Court decided that the original bailment, which was held to be one bailment, and not several bailments, was determined by the pawning, and the subsequent misappropriation was decided to amount to larceny. (*Reg. v. Poyser*, 15 Jur., part 1, p. 386). As to the distinction between the property and the mere custody of goods passing, see *Reg. v. Johnson and Another*, (15 Jur., part 1, p. 1113); and as to the definition of a counting-house, upon an indictment for stealing therefrom, see *Reg. v. Potter*, (Id. 498).

The offence of embezzlement is complete where a servant, who has received money on account of his master, and appropriated it to his own use, denies its receipt and refuses to account, although by agreement he was not bound to account until at a subsequent period. (*Reg. v. Wortley*, 15 Jur., part 1, p. 1137).

To constitute the offence of three or more persons armed entering upon land in the night to take game, within the 9 Geo. 4, c. 69, s. 9, it is not necessary that all the three persons should be in one close, or that the land should be in the occupation of one person. (*Reg. v. Jezzell and Others*, 15 Jur., part 1, p. 434; and see 1 Russ. Cr., by Greaves, 476).

The case of *Reg. v. Bennett* (15 Jur., part 1, p. 497) turned upon the materiality of averments in an indictment for perjury. *Reg. v. Hallett*, (Id. 433), deciding that perjury could not be assigned upon an oath taken before an arbitrator appointed under the County Court Acts, has become unimportant since the stat. 14 & 15 Vict. c. 99, as by sect. 11 any arbitrator, having authority to examine witnesses, is empowered to administer an oath to them.

Court Papers.

EQUITY SITTINGS, HILARY TERM, 1852.

Court of Chancery.

Before the LORD CHANCELLOR, at Lincoln's Inn.

| | | |
|---------------------|---------|-----------------------------------|
| Monday | Jan. 12 | Appeal Motions. |
| Tuesday | 13 | (Petition-day).—Appeal Petitions. |
| Wednesday | 14 | |
| Thursday | 15 | |
| Friday | 16 | |
| Saturday | 17 | } Appeals. |
| Monday | 19 | |
| Tuesday | 20 | |
| Wednesday | 21 | |
| Thursday | 22 | Appeal Motions. |
| Friday | 23 | (Petition-day).—Appeal Petitions. |
| Saturday | 24 | |
| Monday | 26 | |
| Tuesday | 27 | } Appeals. |
| Wednesday | 28 | |
| Thursday | 29 | |
| Friday | 30 | (Petition-day).—Appeal Petitions. |
| Saturday | 31 | Appeal Motions. |

Before the LORDS JUSTICES, at Lincoln's Inn.

| | | |
|---------------------|---------|-----------------------------------------------------------------|
| Monday | Jan. 12 | } Appeal Motions and Appeals. |
| Tuesday | 13 | |
| Wednesday | 14 | } Lunatic and Bankrupt Petitions (unopposed first) and Appeals. |
| Thursday | 15 | |

| | | |
|-----------------|----|-----------------------------------------------------------------|
| Friday | 16 | } Appeal Petitions and Appeals. |
| Saturday | 17 | |
| Monday | 19 | } Appeals. |
| Tuesday | 20 | |
| Wednesday | 21 | } Lunatic and Bankrupt Petitions (unopposed first) and Appeals. |
| Thursday | 22 | |
| Friday | 23 | } Appeal Motions and Appeals. |
| Saturday | 24 | |
| Monday | 26 | } Appeal Petitions and Appeals. |
| Tuesday | 27 | |
| Wednesday | 28 | } Appeals. |
| Thursday | 29 | |
| Friday | 30 | } Lunatic and Bankrupt Petitions (unopposed first) and Appeals. |
| Saturday | 31 | |

Before Vice-Chancellor Sir G. J. TURNER, at Lincoln's Inn.

| | |
|---------------------|-------------------------------------------------------------------------|
| Monday Jan. 12 | Motions and Claims. |
| Tuesday | 13 |
| Wednesday 14 | } Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions. |
| Thursday | |
| Friday | 16 |
| Saturday | 17 |
| Monday | 19 |
| Tuesday | 20 |
| Wednesday 21 | } General Petitions (unopposed first). |
| Thursday | |
| Friday | 23 |
| Saturday | 24 |
| Monday | 26 |
| Tuesday | 27 |
| Wednesday 28 | } Pleas, Demurrers, Exceptions, Causes, Claims, and Further Directions. |
| Thursday | |
| Friday | 30 |
| Saturday | 31 |

Before Vice-Chancellor Sir RICHARD KINDERSLEY, at Lincoln's Inn.

| | |
|---------------------|-----------------------------------------------------------------|
| Monday Jan. 12 | Motions. |
| Tuesday | 13 |
| Wednesday 14 | } (Petition-day).—Cause Petitions (unopposed first). |
| Thursday | |
| Friday | 16 |
| Saturday | 17 |
| Monday | 19 |
| Tuesday | 20 |
| Wednesday 21 | } Pleas, Demurrers, Exceptions, Causes, and Further Directions. |
| Thursday | |
| Friday | 23 |
| Saturday | 24 |
| Monday | 26 |
| Tuesday | 27 |
| Wednesday 28 | } Motions. |
| Thursday | |
| Friday | 23 |
| Saturday | 24 |
| Monday | 26 |
| Tuesday | 27 |
| Wednesday 28 | } (Petition-day).—Cause Petitions (unopposed first). |
| Thursday | |
| Friday | 30 |
| Saturday | 31 |

N. B.—Unopposed Petitions (not exceeding ten) every day (except Seal Days).

Before Vice-Chancellor Sir JAMES PARKER, at Lincoln's Inn.

| | |
|---------------------|------------------------------------------------------------------------|
| Monday Jan. 12 | } Motions, Pleas, Demurrers, Exceptions, Causes, & Further Directions. |
| Tuesday | |
| Wednesday 14 | } Pleas, Demurrers, Exceptions, Causes, and Further Directions. |
| Thursday | |
| Friday | 16 |
| Saturday | 17 |
| Monday | 19 |
| Tuesday | 20 |
| Wednesday 21 | } Short Causes, Short Claims, & Claims. |
| Thursday | |
| Friday | 23 |
| Saturday | 24 |
| Monday | 26 |
| Tuesday | 27 |
| Wednesday 28 | } Pleas, Demurrers, Exceptions, Causes, and Further Directions. |
| Thursday | |
| Friday | 30 |
| Saturday | 31 |

| | | |
|-----------------|----|-------------------------------------------------------------------------------------------------------------------------------|
| Friday | 23 | { Pleas, Demurrers, Exceptions, Causes, and Further Directions. |
| Saturday | 24 | |
| Monday | 26 | { Cause Petitions (unopposed first). Pleas, Demurrers, Exceptions, Causes, and Further Directions. |
| Tuesday | 27 | |
| Wednesday | 28 | Short Causes, Short Claims, & Claims. |
| Thursday | 29 | { Pleas, Demurrers, Exceptions, Causes, and Further Directions. |
| Friday | 30 | |
| Saturday | 31 | { Cause Petitions (unopposed first). Motions, with Pleas, Demurrers, Ex- ceptions, Causes, and Further Di- rections. |

COMMON-LAW SITTINGS, IN AND AFTER
HILARY TERM, 1862.

Court of Queen's Bench.

MIDDLESEX.—*In Term.*

| | |
|--------------------------------|---------------------------------------------------------|
| 1st sitting, (at 10 o'clock), | } Any common jury cause may be taken at these sittings. |
| Tuesday | |
| 2nd sitting, (at 10 o'clock), | } For undefended causes only. |
| Thursday | |
| 3rd sitting, (at half-past 9), | } For undefended causes only. |
| Thursday | |

After Term.—Monday, Feb. 2.

LONDON.—*In Term.*

| | | |
|---------------------------------|--------------|---------|
| 1st sitting (at 10 o'clock).... | Monday | Jan. 19 |
| 2nd sitting (at 10 o'clock) .. | Monday | 26 |

[Any common jury cause may be taken in term]

After Term.—Tuesday, Feb. 3, to adjourn only.

The Court will sit at half-past nine o'clock on every day after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

N. B.—The Office of the Marshal and Associate is in Rolls-gardens, Chancery-lane. Hours of attendance, 11 to 5 during term and sittings after term; 11 to 2 during the rest of the year.

Court of Common Pleas.

In Term.

| MIDDLESEX. | LONDON. |
|----------------|--------------|
| Thursday | Monday |
| Thursday | Monday |

After Term.

| | | | |
|--------------|--------|---------------|--------|
| Monday | Feb. 2 | Tuesday | Feb. 3 |
|--------------|--------|---------------|--------|

The Court will sit at ten o'clock in the forenoon on each of the days in term, and at half-past nine precisely on each of the days after term.

The causes in the list for each of the above sitting days in term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

On Tuesday, the 3rd February, in London, no causes will be tried, but the Court will adjourn to a future day.

N. B.—The office of the Marshal and Associate is at the Lord Chief Justice's Chambers, Rolls-gardens, Chancery-lane. Hours of attendance during term, and sittings after term, are from 11 to 5.

Exchequer of Pleas.

In Term.

| MIDDLESEX. | LONDON. |
|---------------------------------|--------------------------------|
| 1st sitting, Tuesday .. Jan. 13 | 1st sitting, Monday .. Jan. 19 |
| 2nd sitting, Tuesday .. 20 | 2nd sitting, Monday .. 26 |
| 3rd sitting, Tuesday .. 27 | |

After Term.

| | | | |
|--------------|--------|---------------|--------|
| Monday | Feb. 2 | Tuesday | Feb. 3 |
|--------------|--------|---------------|--------|

(To adjourn only).

The Court will sit in Middlesex, at Nisi Prius, in term, by adjournment from day to day, until the causes entered for the respective Middlesex Sittings are disposed of.

The Court will sit, during and after term, at ten o'clock.

COMMON-LAW CAUSE LISTS, HILARY TERM, 1852.

Court of Queen's Bench.

NEW TRIALS

REMAINING UNDETERMINED AT THE END OF THE SITTINGS AFTER MICHAELMAS TERM, 1851.

FOR JUDGMENT.—EASTER TERM, 1851.

Wilts.—Doe d. Newman v. Rushan.

MICH. TERM, 1851.

Lond.—West & an. v. Elmore

" Depperman v. Hub-

bersty

" Driver v. Burton

Berks.—Doe d. Loder & ors.

" v. Arnold & an.

Norf.—Jodrell & ors. v. Big-

nold (Part heard)

" Reg. v. Hammond

Suff.—Cannon & an. v. Smith

Northampton—Hall v. Dyson

Leicest.—Lowe v. London and

North - western

Railway Co.

Derby—Lowe v. Gallimore

" Blake v. Midland

Railway Co.

" Doe d. Turner v. Ash

Coventry—Brierley v. Kendall

Warwick—Letts v. Whitmore

York—Webster & an. v. Kirk

York—Broughton v. Falconar

" Marten v. Boyes & ors.

" Buckle v. Buckle & an.

Durham—Shepherd v. Mar-

quis Londonderry

Carlisle—Master Pilots and

Seamen of New-

castle-upon-Tyne

v. Bradley & an.

Lancaster—Reg. v. Parkinson

Liv'pool—Gurlitsky v. Alex-

ander

" Hayes v. Williams

" Rochdale Canal Co.

v. Radcliffe

Carmarthen—Doe d. Thomas

v. Thomas

Tried during Mich. Term,

1851.

Midd.—Neve & an. v. Hol-

lands and Wife

" Harrison v. Dunn

SPECIAL CASES AND DEMURRERS

FOR HILARY TERM, 1852.

Those marked thus * are Special Cases—the rest are Demurrers.

FOR JUDGMENT.

*Gee v. Mayor, &c. of Man-

chester

Beaumont v. Squire

FOR ARRANGEMENT.

Company of Proprietors of

the Kennet and Avon Canal

Navigation v. Witherington

FOR ARGUMENT.

*Doe d. Evers & Wife v. Ward

Hankey v. Hay

Stewart & an. v. Hay

*Wilson v. Eden

*Doe d. Nicoll v. Bower

Denning & an. v. Wigan

Reeves & an. v. White

Gibson & ors. v. Vernon & ors.

Driffild v. Whitehead

Higson & ors. v. Doe d. Hart

(E)

Stothert & an. v. Lynvi Valley

Railway Co.

*Moore v. Barnet

King v. Liqueurish

ENLARGED RULES

FOR HILARY TERM, 1852.

Those marked thus * were moved in the Bail Court; and those marked thus † are to be heard in that court.

First Day.

Score v. Cameron's Coalbrook

Steam-co'l and Swansea and

Loughor Railway Co.

*†In re Lord Hatherton and

Yates

*In re Howard

*†In re Robinson

*Reg. v. Lancashire & York-

shire Railway Co.

Same v. Chester and Holyhead

Railway Co.

*†Same v. Culling & an.

CROWN PAPER, HILARY TERM, 1852.

Yorkshire Reg. v. Carr.

Surrey Leith, Secretary of the London and

Westminster Steam-boat Co.

Manchester ... Inhab. of St. James's, Westminster.

Middlesex Governor of the Poor of Bristol.

Kent Hyde.

Gateshead Greene & ors.

York Churchwds. of St. Mary, Castlegate.

Middlesex Governors of the Poor of St. James's,

Westminster.

Court of Common Pleas.

NEW TRIALS.

MICH. TERM, 1848.

Surr.—Hamilton v. Cochrane
(To stand over for
arrangement)

MICH. TERM, 1851.

Midd.—Acald v. Carey

" Page v. Morrisson

Lond.—Rosam and Panper v.

Newmorn

" Taylor v. Thompson

" Anderson v. Heywood

Lond.—M'Donnell v. Evan
Surrey—Nicol v. Chambers
Hants—Whitaker v. Wisbey
Durham—White v. Morris
Liv'pool—Whitworth v. Man-
chester and Lin-
colnshire Railw.
Co.

Devon—Dodderidge v. Mc-

carthrel

Dorset—Beer v. Beer

Chester—Blooce v. Bell

DEMURRER PAPER.

Smith v. Hull Glass Co.

ENLARGED RULE.

To first Day.

In re Newbon and Evans

Generally.

In re Sharp v. All of Horbury

CUR. ADV. VULT.

Hamilton v. Terry.

Court of Exchequer.

SITTINGS—HILARY TERM, 1852.

Days in Term.

Monday Jan. 12 Motions and Peremptory Paper.

Tuesday 13 Peremptory Paper and Motions.

Wednesday 14 Motions and New Trial Paper.

Thursday 15 Circuits chosen. Motions and New

Trial Paper.

Friday 16 Cases and Demurrers.

Saturday 17 Motions and New Trial Paper.

Monday 18 Demurrers and Cases.

Tuesday 20 Errors, Motions, and New Trial Paper.

Wednesday 21 Cases and Demurrers.

Thursday 22 Motions and New Trial Paper.

Friday 23 Demurrers and Cases.

Saturday 24 Crown Cases, Motions, and New Trial

Paper.

Monday 26 Cases and Demurrers.

Tuesday 27 Motions and New Trial Paper.

Wednesday 28

Thursday 29

Friday 30

Saturday 31

Days in Term.

Tuesday Jan. 13 Middlesex first Sitting.

Monday 19 London first Sitting.

Tuesday 20 Middlesex second Sitting.

Monday 26 London second Sitting.

Tuesday 27 Middlesex third Sitting.

Nisi Prius.

NEW TRIALS.

FOR JUDGMENT.

Dickinson v. Grand Junction

Canal Co.

Davies v. Warring

Hart v. Eastern Union Rail-

way Co.

FOR ARGUMENT.

Moved Easter Term, 1851.

Kingston—Griffin v. Hum-

phery

Midd.—Woods v. Finnis

Moved Trinity Term, 1851.

Midd.—Bellamy v. Marjori-

banks

Lond.—Wallington v. Dale

" Key v. Cotesworth

" Adam v. Pothering-

ham

Moved after the 4th Day of

Mich. Term, 1851.

Midd.—Finlay v. Bristol and

Exeter Railway Co.

PEREMPTORY PAPER.

To be called on the first Day of Term after the Motions,
and to be proceeded with the next Day, if necessary, before
the Motions.

Pepper v. Chambers.

SPECIAL PAPER.

SPECIAL CASES.

FOR ARGUMENT.

Canman v. South-eastern Railway Co.

Burton v. White
Strickland v. Turner
Doe d. Kimber v. Cafe

DEMURRERS.

FOR ARGUMENT.

Atkinson v. Stephens (Part heard)
Northern Assurance Co. v. United Guarantie and Life Assurance Co.

Bearcock v. Marchant
Frith v. Wollaston
Williams v. Roberts
Samuel v. Masingberd
Sturges v. Viscount Curzon.

London Gazette.

TUESDAY, DECEMBER 30.

BANKRUPTS.

EDWARD HENRY FIRMINGER and PETER BEARE, Lime-st., London, merchants, dealers and chapmen, Jan. 6 at 1, and Feb. 12 at 12, Court of Bankruptcy, London: Off. Ass. Johnson; Sols. Marten & Co., Mincing-lane.—Petition filed Dec. 19.

CALEB WILLIAM ELLIOTT, Aylesbury, Buckinghamshire, grocer and tobaccoist, dealer and chapman, Jan. 12 at 2, and Feb. 10 at 1, Court of Bankruptcy, London: Off. Ass. Groom; Sol. Cotterill, 32, Throgmorton-street.—Petition filed Dec. 20.

JOHN KIRBY, Buckingham, miller, and dealer in corn, Jan. 10 at 1, and Feb. 7 at 12, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Petition dated Dec. 23.

JOHN BARRELL, Billericay, Essex, grocer and tallow chandler, Jan. 10 at half-past 11, and Feb. 7 at 1, Court of Bankruptcy, London: Off. Ass. Nicholson; Sols. Harrison & Dobree, 22, Hart-street, Bloomsbury.—Petition dated Dec. 23.

JOHN FURNESS, Diglee Bridge, Austonley, Almondsbury, Yorkshire, woollen cloth manufacturer, dealer and chapman, Jan. 13 and Feb. 3 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Robinson, Huddersfield; Bond & Barwick, Leeds.—Petition dated Dec. 20.

JAMES FORSTER, Liverpool, filter merchant, Jan. 14 and Feb. 3 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Cazenove; Sols. Lace & Co., Liverpool.—Petition filed Dec. 26.

GEORGE IRLAM HIGGINSON, late of Hutton Sessay, and of Sowerby Park, Sowerby, Yorkshire, but now of Everton, near Liverpool, dealer in cattle and sheep, dealer and chapman, Jan. 9 and Feb. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sols. Rymer, Liverpool; Dimmock & Burby, Suffolk-lane, London.—Petition filed Dec. 27.

CHARLES LUCAS RICHARD WILKINSON and EDWARD BOND, Manchester, and Hayfield, Derbyshire, calico printers, Jan. 15 and Feb. 5 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Lee; Sols. Slater & Heelis, Manchester.—Petition filed Dec. 19.

ROBERT PEEL, Blackburn, Lancashire, ironmonger, Jan. 12 and Feb. 9 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Fraser; Sol. Blair, Manchester.—Petition filed Dec. 17.

RALPH DARLINGTON, Wigan, Lancashire, money scrivener and coal dealer, Jan. 13 and Feb. 11 at 12, District Court of Bankruptcy, Manchester: Off. Ass. Pott; Sols. Slater & Heelis, Manchester.—Petition filed Dec. 19.

MEETINGS.

David Elwin Colombine, Carlton-chambers, Regent-street, Westminster, Middlesex, money scrivener, Jan. 9 at 11, Court of Bankruptcy, London, last ex.—Wm. Hen. Osborne, Ebury-street, Pimlico, Middlesex, wine merchant, Jan. 10 at half-past 12, Court of Bankruptcy, London, last ex.—John Howard, Macclesfield, Cheshire, silk manufacturer, Jan. 9 at 12, District Court of Bankruptcy, Manchester, last ex.—John Smith, Victoria-street, Islington, Middlesex, builder, Jan. 21 at 12, Court of Bankruptcy, London, aud. ac.—Jos. Graham,

Notting-hill-square, Notting-hill, Middlesex, hosier, Jan. 21 at half-past 12, Court of Bankruptcy, London, aud. ac.—Jos. Payant, Manchester, and Lisbon, Portugal, merchant, Jan. 12 at 12, District Court of Bankruptcy, Manchester, aud. ac.—Alfred Lyon, Saffron Walden, Essex, draper, Jan. 17 at half-past 12, Court of Bankruptcy, London, div.—Chas. Snelling, Gracechurch-street, London, hairdresser, Jan. 17 at 1, Court of Bankruptcy, London, div.—Thomas Rutherford, Agnes-place, Waterloo-road, Surrey, merchant, Jan. 16 at 11, Court of Bankruptcy, London, div.—Andrew Jopp, Cornhill, London, ship broker, Jan. 16 at half-past 11, Court of Bankruptcy, London, div.—R. D. Mercer, Church-passage, Spital-square, Bishopsgate-street Without, Middlesex, silk merchant, Jan. 17 at 1, Court of Bankruptcy, London, div.—A. G. Guadiano and E. C. St. Clair, St. Helen's, London, merchants, Jan. 17 at half-past 12, Court of Bankruptcy, London, div.—H. E. Ford and Wm. Reeves, Leadenhall-street, London, insurance agents, Jan. 16 at 11, Court of Bankruptcy, London, div.—D. G. Foster, St. John's-square, Clerkenwell, Middlesex, ironmonger, Jan. 20 at 11, Court of Bankruptcy, London, div.—S. G. Fryman, Rye, Sussex, wine merchant, Jan. 20 at 11, Court of Bankruptcy, London, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

John Drew, Hampton Gay Mills, Hampton Gay, Oxfordshire, paper maker, Jan. 20 at 2, Court of Bankruptcy, London.—Rich. H. Cuming, Lamb's Conduit-street, Middlesex, bookseller, Jan. 21 at 1, Court of Bankruptcy, London.—D. French and A. Sands, Coal Exchange, London, and Chatham, Kent, coal factors, Jan. 23 at 11, Court of Bankruptcy, London.—John P. Whitmore, Hackney, Middlesex, draper, Jan. 21 at half-past 1, Court of Bankruptcy, London.—John Luscombe, Llandulph, Cornwall, miller, Jan. 22 at 11, District Court of Bankruptcy, Exeter.—Edward Thos. Leeming, Manchester, hosier, Jan. 20 at 12, District Court of Bankruptcy, Manchester.—Thomas B. Brown, Handsworth, Staffordshire, blister manufacturer, Jan. 20 at 1, District Court of Bankruptcy, Birmingham.—John Whitworth, Leeds, Yorkshire, millwright, Jan. 22 at 11, District Court of Bankruptcy, Leeds.

To be granted, unless an Appeal be duly entered.

John Thos. Curtis, Norwich, grocer.—Henry James Ellis, Rotherhithe-wall, Rotherhithe, Surrey, ironmonger.—John Johnson, Wolston, Warwickshire, coal dealer.

SCOTCH SEQUESTRATIONS.

Rev. Duncan M'Kenzie, Appin, Argyleshire, clergyman in the Scottish Episcopal Church.—A. C. Thompson, Glasgow, tailor.—Thomas Sloan, Edinburgh, wood merchant.—Wm. Brown, Glasgow, dealer in sewed muslins.—Wm. Cochran, Paisley, joiner.—James Geddes, Edinburgh, spirit dealer.—J. & P. Stewart, Glasgow, ironmongers.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Benj. Wrigley, Rochdale, Lancashire, reed maker, Jan. 15 at 12, County Court of Lancashire, at Rochdale.—J. Hawley, Birmingham, brickburner, Jan. 17 at 10, County Court of Warwickshire, at Birmingham.—Moses Wheeler, Birmingham, coach-spring manufacturer, Jan. 17 at 10, County Court of Warwickshire, at Birmingham.—H. Robinson, Birmingham, fender maker, Jan. 17 at 10, County Court of Warwickshire, at Birmingham.—E. Pinder the younger, Birmingham, builder, Jan. 17 at 10, County Court of Warwickshire, at Birmingham.—David Osborn, Birmingham, copper tube maker, Jan. 17 at 10, County Court of Warwickshire, at Birmingham.—B. Faulkner, Horsham, Sussex, out of business, Jan. 20 at 12, County Court of Sussex, at Horsham.—Robert Winnifrieth, Tunbridge Wells, Kent, assistant to a beer-shop keeper, Jan. 15 at 10, County Court of Kent, at Tunbridge Wells.—Wm. Osion, Stetchworth, Cambridgeshire, out of business, Jan. 16 at 11, County Court of Cambridgeshire, at Newmarket.—James Froud, Childrey, Berkshire, cordwainer, Jan. 10 at 11, County Court of Berkshire, at Wantage.—William Lowther, Oswestry, Shropshire, furniture broker, Jan. 23 at 10, County Court of Shropshire, at Oswestry.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 14 at 11, before the CHIEF COMMISSIONER.

H. Henton, Gloucester-place, Walworth-common, Surrey, dealer in tea and tobacco.—*James Chubb*, St. James's-st., Penton-st., Islington, Middlesex, assistant to a baker.—*John Edwards*, Great Prescott-street, Goodman's-fields, Middlesex, haberdasher.

Adjourned Case.

Ebenezer E. Coleman, Princes-road, Notting-hill, Middlesex, plumber.

Jan. 14 at 10, before Mr. Commissioner LAW.

Edward Smith, Brentwood, Essex, out of business.

Saturday, Dec. 27.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Morrin, East Dereham, Norfolk, linendraper, No. 74,375 C.; *Philip Woodgate*, assignee.—*Edward Hinchliffe*, Wakefield, Yorkshire, plumber, No. 73,659 C.; *James Holdsworth*, assignee.—*John Reek*, Red Lion-street, Clerkenwell, Middlesex, currier, No. 62,590 T.; *William Francis Patient*, assignee.—*Daniel E. Flynn*, Blackfriars-road, Surrey, tailor, No. 62,547 T.; *Charles Wilson*, assignee.

Saturday, Dec. 27.

Orders have been made, vesting in the Provisional Assignees the Estates and Effects of the following Persons:—

(On their own Petitions).

William Wilcox, Norland-road, Notting-hill, Middlesex, bricklayer: in the Debtors Prison for London and Middlesex.—*Wm. Henry Cook*, Gray's-place, Fulham-road, Brompton, Middlesex, tailor: in the Debtors Prison for London and Middlesex.—*Edward Christian*, Brook-green, Hammersmith, Middlesex, general commission agent: in the Debtors Prison for London and Middlesex.—*George Puddy*, Panton-street, Haymarket, Middlesex, shoemaker: in the Debtors Prison for London and Middlesex.—*Joseph Sumner*, New Quebec-st., Portman-square, Middlesex, provision dealer: in the Debtors Prison for London and Middlesex.—*Henry Birkby*, Leeds, Yorkshire, joiner and builder: in the Castle of York.—*Edw. Meyers*, Leeds, Yorkshire, tea dealer and grocer: in the Castle of York.—*Bartrup Crump*, Dover, Kent, coach proprietor: in the Castle of Dover.—*Wm. Fletcher*, Ashton-under-Lyne, Lancashire, licensed victualler: in the Castle of Lancaster.—*Josiah Penn* the younger, Ipswich, Suffolk, grocer: in the Gaol of Ipswich.—*George Hallam*, Nottingham, horse dealer's assistant: in the Gaol of Nottingham.—*William Hallam*, Nottingham, milkman: in the Gaol of Nottingham.—*Thomas Fisher Hughes*, Ipswich, Suffolk, in no business: in the Gaol of Ipswich.—*John Pickles*, the Hollins, near Oldham, Lancashire, provision-shop keeper: in the Castle of Lancaster.—*John Sheard*, Morley, near Leeds, Yorkshire, clothier: in the Castle of York.—*James Lawson*, Bradford, Yorkshire, cork manufacturer: in the Castle of York.—*Edwin Topper*, Chorlton-upon-Medlock, Lancashire, grocer: in the Castle of Lancaster.—*John Aram*, Chilwell, Nottinghamshire, wheelwright: in the Gaol of Nottingham.—*Richard Strong Cleeve*, Petton, Devonshire, carpenter: in the Gaol of St. Thomas-the-Apostle.—*Charles Hall*, Northwich, Cheshire, book-binder: in the Gaol of the Castle of Chester.—*G. Crockford*, West Exe, Tiverton, Devonshire, mason: in the Gaol of St. Thomas-the-Apostle.—*Jas. Christopher*, Common-side, near Brierly-hill, Staffordshire, licensed victualler: in the Gaol of Stafford.—*William Pottage*, Bubwith, near Selby, Yorkshire, tailor: in the Castle of York.—*Richard Poplewell*, Gouthorpe, Selby, Yorkshire, gas fitter: in the Castle of York.—*Elijah Robinson*, Low Fulney, near Spalding, Lincolnshire, farmer: in the Castle of Lincoln.—*Thos. Shopland* the elder, Bratton, Clovelly, Devonshire, farmer: in the Gaol of St. Thomas-the-Apostle.—*Thos. Shopland* the younger, Bratton, Clovelly, Devonshire, farmer's labourer: in the Gaol of St. Thomas-the-Apostle.—*Thomas Ashworth*, Dover, Kent, out of business: in the Castle of Dover.—*Joseph Allan*, Sheffield, Yorkshire, butcher: in the Castle of York.—*George Cliffe*, Brighouse, near Halifax, Yorkshire, carrier: in the Castle of York.—*H. Garside*, Brinnington, near Stockport, Cheshire,

machinist: in the Castle of Lancaster.—*George Higginbottom*, Heaton Norris, Lancashire, licensed victualler: in the Castle of Lancaster.—*Bernard Josephson*, Liverpool, cabinet maker: in the Castle of Lancaster.—*George Moore*, Oldham, Lancashire, cotton waste dealer: in the Castle of Lancaster.—*Charles Wilson Morton*, Louth, Lincolnshire, grocer: in the Castle of Lincoln.—*Charles George White*, Bent, Oldham, Lancashire, cotton waste dealer: in the Castle of Lancaster.—*Thomas James Whiddborne*, Tranmere, near Liverpool, ship chandler: in the Castle of Lancaster.—*Henry Watkinson*, Wavertree, near Liverpool, builder: in the Castle of Lancaster.—*Robert Yates* the elder, Oldham, Lancashire, cotton spinner: in the Castle of Lancaster.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Benjamin Featherby, Great Carter-lane, St. Andrew by the Wardrobe, London, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Kent, at DOVER, Jan. 14 at 10.

Bartrup Crump, Dover, out of business.—*Thos. Ashworth*, Dover, out of business.

At the County Court of Suffolk, at IPSWICH, Jan. 16.

Josiah Penn the younger, Ipswich, baker.—*Thomas Fisher Hughes*, Ipswich, not following any business.

At the County Court of Essex, at CHELMSFORD, Jan. 31.

Richard Wm. Palmer, Chelmsford, dealer in marine stores.

FRIDAY, JANUARY 2.

BANKRUPTS.

JOHN ANDREW EDWARDS, Toxteth-park, near Liverpool, boarding and lodging house keeper, dealer and chapman, Jan. 15 and Feb. 6 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Banner, Liverpool.—Petition filed Dec. 31.

HENRY COURTIS, Newport, Monmouthshire, grocer, dealer and chapman, Jan. 15 and Feb. 12 at 11, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Trenerry, Bristol.—Petition filed Dec. 6.

JOHN ALLOTT, New Millerdam, Sandal Magna, Yorkshire, banker, dealer and chapman, Jan. 22 and Feb. 12 at 11, District Court of Bankruptcy, Leeds: Off. Ass. Freeman; Sols. Newman, Barnsley; Bond & Barwick, Leeds.—Petition dated and filed Dec. 18.

THOMAS HALL, Kingston-upon-Hull, innkeeper, coal merchant, and grease manufacturer, dealer and chapman, Jan. 21 and Feb. 11 at 12, District Court of Bankruptcy, Hull: Off. Ass. Carrick; Sol. Rollit, Hull.—Petition dated Dec. 23.

ROBERT THORMAN, Newcastle-upon-Tyne, engine builder and engine wright, dealer and chapman, Jan. 13 at half-past 11, and Feb. 17 at 1, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Wakley; Sols. T. & W. Chater, Newcastle-upon-Tyne; Bell & Co., Bow-church-yard, London.—Petition filed Dec. 3.

MEETINGS.

Wm. Woods, Gresham Rooms, Basinghall-street, London, warehouseman, Jan. 16 at half-past 11, Court of Bankruptcy, London, ex.—*Anthony Patten*, Chapple, Essex, horse dealer, Jan. 14 at 12, Court of Bankruptcy, London, aud. ac.—*Robt. Brown*, Gravel-lane, St. Saviour's, Southwark, Surrey, and St. Mary-at-Hill, London, basket maker, Jan. 26 at 11, Court of Bankruptcy, London, aud. ac.—*Prince James Tubb*, Tottenham, Middlesex, draper, Jan. 22 at 2, Court of Bankruptcy, London, aud. ac.—*Fred. W. Macandrew*, Mill-wall, Poplar, Middlesex, brewer, Jan. 22 at 2, Court of Bankruptcy, London, aud. ac.—*Gabriel Cook*, Tottenham-court-road, Middlesex, furniture dealer, Jan. 13 at 2, Court of Bankruptcy, London, aud. ac.—*Joseph S. Hodge* and *James Culpin*, New Oxford-street, Middlesex, tailors, Jan. 12 at 2, Court of Bankruptcy, London, aud. ac. sep. est. of *James Culpin*.—*Edwin Hyrons*, John-street, Tottenham-court-road, Middlesex, pianoforte manufacturer, Jan. 12 at 2, Court of Bankruptcy, London, aud. ac.—*Thomas Earle*, Castle-street, Long-acre, Middlesex, funeral carriage master, Jan. 13 at half-past 11, Court of Bankruptcy, London, aud. ac.—*John Wright*, Oxford-street, Middlesex, druggist, Jan. 16 at 12,

Court of Bankruptcy, London, aud. ac.; Jan. 23 at half-past 11, div.—*Jane Bolton*, Pall-mall, Westminster, Middlesex, tailor, Jan. 13 at half-past 11, Court of Bankruptcy, London, aud. ac.—*Richard Gatehouse*, *Richard Darch*, and *Gastrill Wilkins*, Upper Lisson-street, Middlesex, timber merchants, Jan. 13 at 12, Court of Bankruptcy, London, aud. ac.—*Fred. Baynham*, Hounslow, Middlesex, grocer, Jan. 16 at 11, Court of Bankruptcy, London, aud. ac.—*George Stringer*, Chamber-street, Goodman's-fields, Middlesex, wholesale Italian warehouseman, Jan. 12 at 2, Court of Bankruptcy, London, aud. ac.—*John Brudenell*, Windsor, Berkshire, brewer, Jan. 16 at 11, Court of Bankruptcy, London, aud. ac.—*Richard Mott*, Gracechurch-st., London, tailor, Jan. 12 at 2, Court of Bankruptcy, London, aud. ac.—*Robert Mitchell*, Walthamstow, Essex, baker, Jan. 12 at half-past 1, Court of Bankruptcy, London, aud. ac.—*George Laws*, Waltham Abbey, Essex, linendraper, Jan. 13 at 11, Court of Bankruptcy, London, aud. ac.—*Edward Ritherdon*, Mill-wall, Poplar, Middlesex, ship builder, Jan. 15 at 1, Court of Bankruptcy, London, aud. ac.—*Robert Wm. Jearrad* the younger, Oxford-street, Middlesex, carpenter, Jan. 15 at 11, Court of Bankruptcy, London, aud. ac.—*James S. Davis*, Dalby-terrace, City-road, Middlesex, dealer in jewellery, Jan. 13 at 1, Court of Bankruptcy, London, aud. ac.—*Edward W. Cherrill*, Ramsgate, Kent, cabinet maker, Jan. 15 at 12, Court of Bankruptcy, London, aud. ac.—*John Allan*, Carmarthen, tea dealer and draper, Jan. 30 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*Llewellyn Thomas*, Bristol, grocer, Jan. 30 at half-past 11, District Court of Bankruptcy, Bristol, aud. ac.—*Thomas Kell Irwin*, Hexham, Northumberland, draper, Jan. 16 at half-past 11, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Henry Turner*, Wolverhampton, Staffordshire, scrivener, Jan. 20 (instead of Jan. 12, as advertised in the Gazette of Tuesday, Dec. 23) at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.—*John Drew*, Hampton Gay Mills, Hampton Gay, Oxfordshire, paper maker, Jan. 27 at 1, Court of Bankruptcy, London, div.—*W. Brown*, Whitstable, Kent, grocer, Jan. 26 at 1, Court of Bankruptcy, London, div.—*R. Cole*, Basinghall-st., London, picture dealer, Jan. 26 at half-past 1, Court of Bankruptcy, London, div.—*Jas. Fairman*, Great St. Helen's, London, commission agent, Jan. 23 at 11, Court of Bankruptcy, London, div.—*T. Pottinger*, Jersey, *Henry Howell*, Charles-street, Manchester-square, and *Alexander Oswald*, Adelaide-row, Hampstead, Middlesex, merchants, Jan. 23 at 12, Court of Bankruptcy, London, div.—*William Gedge*, Angel-court, Throgmorton-street, London, wine merchant, Jan. 23 at 12, Court of Bankruptcy, London, fin. div.—*Edwin Gates*, Aylesford, Kent, grocer, Jan. 23 at 12, Court of Bankruptcy, London, div.—*Samuel Moyer*, Old-street, St. Luke's, Middlesex, linendraper, Jan. 23 at 12, Court of Bankruptcy, London, div.—*Tranquille Capron*, Laurence-lane, Cheapside, London, merchant, Jan. 19 at 11, Court of Bankruptcy, London, div.—*Thomas Pierson*, Warwick-court, Holborn, Middlesex, and Pickering, Yorkshire, money scrivener, Jan. 19 at half-past 11, Court of Bankruptcy, London, div.—*John Robert Taylor*, Chancery-lane, Red Lion-square, and Cannon-row, Westminster, Middlesex, stationer, Jan. 15 at 11, Court of Bankruptcy, London, div.—*C. Brown*, Oxford-street, Middlesex, china dealer, Jan. 19 at 11, Court of Bankruptcy, London, div.—*Thomas Edwin Southee*, Fleet-street, London, advertising agent, Jan. 23 at 1, Court of Bankruptcy, London, div.—*Samuel Waite*, Farnley, Leeds, Yorkshire, cloth manufacturer, Jan. 23 at 11, District Court of Bankruptcy, Leeds, div.—*John Watson*, Skipton, Yorkshire, linendraper, Jan. 23 at 11, District Court of Bankruptcy, Leeds, div.

CERTIFICATES.

To be allowed, unless Cause be shewn to the contrary on or before the Day of Meeting.

Wm. Smith, Princes-street, Leicester-square, Middlesex, engineer, Jan. 27 at 11, Court of Bankruptcy, London.—*William Turner*, Gravesend, Kent, butcher, Jan. 27 at 1, Court of Bankruptcy, London.—*William Argent*, Abbey-street, Bethnal-green-road, Middlesex, hearth-rug manufacturer, Jan. 27 at 12, Court of Bankruptcy, London.—*George Nock* and *John Williams*, Frith-street, Soho, Middlesex, goldsmiths, Jan. 23 at 1, Court of Bankruptcy, London.—*Charles Wheeler*, St. Martin's-lane, Middlesex, woollen-draper, Jan. 24 at 11, Court of Bankruptcy, London.—*Thomas Ekin*, Cambridge, spirit merchant, Jan. 23 at 11, Court of Bankruptcy, London.—*Samuel Moyer*, Old-street,

St. Luke's, Middlesex, linendraper, Jan. 23 at 12, Court of Bankruptcy, London.—*Francis Woolhouse Saunders*, Thame, Oxfordshire, harness maker, Jan. 24 at half-past 12, Court of Bankruptcy, London.—*Jeremiah Cairns*, Newport, Monmouthshire, banker, Jan. 28 at 11, District Court of Bankruptcy, Bristol.—*Joseph Bayly Cadby*, Malmesbury, Wiltshire, stationer, Jan. 29 at 11, District Court of Bankruptcy, Bristol.—*William Henry Buckland*, Abchurch-lane, London, and Maesteg, Glamorganshire, iron manufacturer, Jan. 27 at 11, District Court of Bankruptcy, Bristol.—*William Green* the younger, Higher Trannere, Cheshire, brewer, Jan. 23 at 11, District Court of Bankruptcy, Liverpool.—*Francis Eidsforth Rigby* the elder, Birkenhead, Cheshire, plumber, Jan. 26, District Court of Bankruptcy, Liverpool.—*Thomas Avant*, Bridport, Dorsetshire, music seller, Feb. 3 at 1, District Court of Bankruptcy, Exeter.—*John M'Burnie*, Exeter, draper, Jan. 27 at 1, District Court of Bankruptcy, Exeter.—*Richard Mathewe*, East Reach, Taunton St. James, Somersetshire, baker, Jan. 28 at 1, District Court of Bankruptcy, Exeter.—*Joseph Liechfield* the younger, Birmingham, pork butcher, Jan. 26 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Jesse Smith, Kent-place, Old Kent-road, Surrey, cheese-monger.—*John Harris*, Buckingham, shoemaker.

PARTNERSHIPS DISSOLVED.

Arthur Ashfield and *William Allen*, Leighton Buzzard, Bedfordshire, attorneys and solicitors.—*John Collins Browne* and *Richard Francis Jennings*, Holworthy, Devonshire, attorneys and solicitors, (under the firm of Browne & Jennings).—*George Godby Vincent* and *Thomas Randall*, Castle-street, Holborn, London, attorneys and solicitors, (under the firm of Vincent & Randall).

SCOTCH SEQUESTRATIONS.

John Goldie & Co., Glasgow, ironfounders.—*Walter Foyer*, Edinburgh, hatter.—*James Fairlie*, Alloa, wool merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Thomas Chedham, Wellesbourne Mountford, Warwickshire, wheelwright, Jan. 28 at 11, County Court of Warwickshire, at Stratford-on-Avon.—*Richard Brewer*, Bristol, in no business, Jan. 7 at 11, County Court of Gloucestershire, at Bristol.—*James Anderson*, Manningham, Bradford, Yorkshire, bobbin manufacturer, Jan. 16 at 10, County Court of Yorkshire, at Skipton.—*John Gilbert Goodwin*, Ipswich, Suffolk, licensed victualler, Jan. 16 at 10, County Court of Suffolk, at Ipswich.—*William Green*, Offton, Suffolk, carpenter, Jan. 16 at 10, County Court of Suffolk, at Ipswich.—*John Jones*, Ipswich, Suffolk, haberdasher, Jan. 16 at 10, County Court of Suffolk, at Ipswich.—*George Wright*, Elmstead, Essex, in no business, Jan. 26 at 12, County Court of Essex, at Colchester.—*Henry Baalham*, Colchester, Essex, carpenter, Jan. 26 at 12, County Court of Essex, at Colchester.—*Benj. Boyden*, Nichols-sq., Hackney-road, Shoreditch, Middlesex, out of business, Jan. 23 at 12, County Court of Essex, at Rochford.—*J. Mayn*, Rayleigh, Essex, auctioneer, Jan. 28 at 12, County Court of Essex, at Rochford.—*Saml. Lombard*, Hadleigh Hamlet, Boxford, Suffolk, maltster, Jan. 20 at 12, County Court of Suffolk, at Hadleigh.—*Thomas Pugh*, Newport, Monmouthshire, cabinet maker, Jan. 20 at 12, County Court of Monmouthshire, at Newport.—*Jas. Gould*, Newport, Monmouthshire, master mariner, Jan. 20 at 12, County Court of Monmouthshire, at Newport.—*Wm. Eames*, Newport, Monmouthshire, eating-house keeper, Jan. 20 at 12, County Court of Monmouthshire, at Newport.—*Samuel Empeon*, Norwich, Norfolk, grocer, Jan. 24 at 10, County Court of Norfolk, at Norwich.—*John Allen*, Norwich, wood turner, Jan. 24 at 10, County Court of Norfolk, at Norwich.—*Saml. S. Abrahams*, Norwich, watchmaker, Jan. 24 at 10, County Court of Norfolk, at Norwich.—*James Steward*, Bradford, Yorkshire, groom, Jan. 30 at 11, County Court of Yorkshire, at Bradford.—*John Jefferson*, Sebergham, Cumberland, joiner, Jan. 24 at half-past 10, County Court of Cumberland, at Wigton.—*Lewis Lewis*, Mynyddyllwyn, Monmouthshire, brewer, Jan. 27 at 10, County Court of Monmouthshire, at Pontypool.—*T. Douglas*, North Shields, Northumberland, chemist, Jan. 23 at half-past 10, County Court of Northumberland, at North Shields.—*Jane Ross*, Tynemouth, Northumberland,

milliner, Jan. 23 at half-past 10, County Court of Northumberland, at North Shields.—*Wm. Dickinson*, Gatehead, Durham, builder, Jan. 21 at 10, County Court of Durham, at Gatehead.—*Robert Steggall*, Ashbocking, Suffolk, miller, Jan. 16 at 10, County Court of Suffolk, at Ipswich.—*Joseph Saunders*, Liverpool, butcher, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*George Home*, Liverpool, undertaker, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*A. Hobbis*, Liverpool, auctioneer, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*Joseph Taylor*, Toxteth-park, near Liverpool, joiner, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*Wm. Clarke*, Walton, near Liverpool, superintendent of the works at the New Gaol, in Walton, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*R. C. Brown*, Birkenhead, Cheshire, attorney, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*John Walton*, Liverpool, joiner, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*Robert Roberts*, Liverpool, out of business, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*H. Cadley*, Liverpool, boot closer, Jan. 8 at 10, County Court of Lancashire, at Liverpool.—*Ambrose Veevers*, Kirkdale, Lancashire, beer-house keeper, Jan. 8 at 10, County Court of Lancashire, at Liverpool.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 16 at 11, before the CHIEF COMMISSIONER.

Charles Alfred Tussley, Wellington-street, Southwark, Surrey, hotel keeper.

Jan. 16 at 10, before Mr. Commissioner LAW.

A. B. Evans, Victoria-road, Kentish-town, St. Pancras, Middlesex, assistant minister of the parish of St. Andrew, Marylebone.

Jan. 17 at 11, before Mr. Commissioner PHILLIPS.

John Mills, Ramsgate, Kent, author.—*Edward Cripps*, 19, Wharf, North Wharf-road, Paddington, Middlesex, smith.—*Joseph R. Withers*, Clipstone-street, Fitzroy-square, Middlesex, clerk to a chinaman.

Jan. 19 at 10, before Mr. Commissioner LAW.

S. S. Tunbridge, Commerce-place, Brixton, Surrey, baker.—*Joseph Bailey*, York-street, Westminster, Middlesex, coal dealer.

Jan. 19 at 11, before Mr. Commissioner PHILLIPS.

Robert Clark, Farringdon-street, London, coffee-house keeper.—*John Boswell*, Shaftesbury-street, Hoxton, Middlesex, out of business.—*B. W. Beale*, Clarence-place, Woolwich-common, Woolwich, Kent, out of business.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 16 at 10, before Mr. Commissioner LAW.

Edw. Merry, York-street, Walworth-road, Surrey, cheese-monger.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Lancashire, at LANCASTER, Jan. 16 at 11.

Fredk. Leatherbarrow, Manchester, clerk to an insurance company.—*Geo. Higginbottom*, Manchester, auctioneer.—*Josiah Barker*, Liverpool, coal proprietor.—*George Moore*, Oldham, cotton waste dealer.—*Robert Yates* the elder, Oldham, cotton spinner.—*Richard Allerton*, Liverpool, wheelwright.—*Thos. Lord*, Salford, beer seller.—*Charles George White*, Oldham, out of business.—*Edward Fawcett*, Salford, size manufacturer.—*Hen. Watkinson*, Wavertree, near Liverpool, builder.—*Thos. James Whidborne*, Birkenhead, Liverpool, out of business.—*Howard Garside*, Brinnington, near Stockport, Cheshire, machinist.—*Edwin Topper*, Chorlton-upon-Medlock, Manchester, out of business.—*Wm. Fletcher*, Ashton-under-Lyne, out of business.—*James Woodrow*, Wittington, near Manchester, commission broker.—*Charles Glover*, Hindley, near Wigan, licensed victualler.—*E. Walsh*, Blackburn, joiner.—*Thomas Lonedale*, Blackburn, out of business.

At the County Court of Worcestershire, at WORCESTER, Jan. 20 at 10.

Francis Garner, Dudley, confectioner.

At the County Court of Shropshire, at SHREWSBURY, Jan. 27 at 10.

Edw. George Evans, Higley, carpenter.

MASTERS IN CHANCERY.—The Lord Chancellor has appointed the following gentlemen to be Masters Extraordinary in the High Court of Chancery:—*John Gillam Bell*, of Cambridge; *Thomas Storer Eddowes*, of Leicester; *George Clarke Bellairs*, of Leicester; *Christopher Hill Gates*, of Lutterworth, Leicestershire.

INCORPORATED LAW SOCIETY.—The SEVERAL COURSES OF LECTURES will be resumed by—

Mr. CONYBEARE on *Equity and Bankruptcy*, Jan. 5th.

Mr. WALPOLE on *Conveyancing*, Jan. 9th; and

Mr. HODGSON on *Common Law*, Jan. 12th.

R. MAUGHAM, Secretary.

MANAGING CLERK.—WANTED, in an Office of good practice in the Country, an EXPERIENCED CLERK, competent to the Management of ordinary Conveyancing, and the general business of a Country Office, under superintendence of the principal. A knowledge of accounts would also be desirable. Application, with references, stating age, and the amount of salary required, to be addressed to W. S., Messrs. Dunn & Cronin, Law Stationers, Quality-court, Chancery-lane.

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ACCOUNTS.—MESSRS. G. J. & J. KAIN beg to call the attention of the Profession to their System of keeping Solicitors' Accounts, by a self-balancing process, as developed by the Third Edition of their Work, recently published, price 3s., the New Year being an appropriate period for commencing same.

Sets of the Books required, to be had on application, by letter, to the Authors, 9, Brownlow-street, Holborn, London.

RATING OF RAILWAYS, GAS WORKS, WATERWORKS, &c.—To Solicitors, Parish Officers, and others.—A Surveyor and Civil Engineer, who has had considerable experience in this branch of practice, offers his services, where they may be required, in assisting Parish Officers either in making the assessment, or in defending it against an appeal. References to Solicitors with whom he has been engaged. Address, H. J. C., 7, Chancery-lane, London.

GRATIS with the "DISPATCH" of SUNDAY NEXT, JAN. 4.—The Subscribers to the "Weekly Dispatch" will be presented with a highly-finished coloured Chart, shewing, by diagrams and at one view, the number of persons who daily, during a period of five months, visited the Crystal Palace, the amount of money taken at the doors and received from various sources, and other statistics of an interesting character. And on the following Sunday, Jan. 11, the Chart will be given to all Purchasers of the "Dispatch" who are not regular Subscribers. The Chart, which is surmounted with an engraved view of the Great Exhibition of the Industry of All Nations, has been prepared, by permission of the Royal Commissioners, from designs by Corporals A. Gardner and J. Mack, of the Royal Sappers and Miners, and revised by a gentleman whose intimate acquaintance with all matters connected with the management must ensure its correctness. Orders may be given to all news-vendors in town and country, or forwarded to Mr. R. J. Wood, 139, Fleet-street, London.

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TRUSTEES.

The Right Hon. the Lord Chancellor.

The Right Hon. the Earl of Devon.

The Right Hon. the Lord Chief Baron.

The Right Hon. the Lord Justice Knight Bruce.

The Right Hon. Sir H. Jenner Fust, Dean of the Arches, &c.

William Baker, Esq., late Master in Chancery.

Richard Richards, Esq., M. P., Master in Chancery.

Insurances expiring at Christmas should be renewed within fifteen days thereafter, at the Office of the Society, or with any of its Agents throughout the country.

E. BLAKE DEAL, Secretary.

* * Orders for THE JURIST given to any Newsmen, or letter (post-paid) sent to the Office, No. 3, CHANCERY-LANE, or to STEVENS & NORTON, 26 and 39, BELL-YARD, LINCOLN'S-INN, will insure its punctual delivery in London, or its being forwarded on the evening of publication, through the medium of the Post Office, to the Country.

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The Jurist

No. 783—Vol. XV.

JANUARY 10, 1852.

Price 1s. 6d.

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LONDON, JANUARY 10, 1852.

It is one of the misfortunes of reformers in the law, as in everything else, to have their doctrines exaggerated by those who go further than they do, and to find themselves put forward as supporters of opinions to which they never gave utterance. We, calling ourselves Chancery reformers, cannot expect to escape the common fate, nor have we done so; for we find ourselves frequently appealed to by correspondents as supporters of the clamour that the Court of Chancery is a vast nuisance, and as advocates for its total destruction. Now, we must say that our readers who attribute to us reform opinions of so red a tinge have greatly misunderstood much, if not all, of what we have written in these pages; and, classing ourselves amongst law reformers, we do most strongly protest against being identified with law destructives. We never have said, or intimated, or, to use a judicial expression, even ventilated the notion, that the Court of Chancery is a nuisance. We never have advocated a total destruction of that court, nor even a total destruction of its procedure and pleading. We have, it is true, said again and again that its forms of procedure and pleading require great—very great—alteration. We have urged the suppression of the different varieties of bills required for bringing new matter before the Court, and the substitution of some one uniform mode of doing so; we have urged the introduction of *viva voce* examination of witnesses, and perhaps of parties; we have urged the necessity of pruning the bill in equity, by abolishing the interrogatories; we have urged the extension of an equity jurisdiction to the county courts; we have urged that there should not be five different modes of presenting a case to the Court, but one uniform mode; we have recommended the abolition (in general) of states of facts, as being a useless repetition of the pleadings; we have, in fact, at various times, recommended simplification of the pleadings; extension of jurisdiction, for enabling the Court

of Chancery to deal with any case that it takes up, from the beginning to the end; and the addition to it of the machinery necessary to enable it so to do. But we have done so on the old-fashioned English principle of altering existing institutions to meet the growing wants of society—not on the more Gallic one, of uprooting everything existent, in order to form some apparently faultless system; and, so far from ever advocating the destruction of the Court of Chancery, we have, on the contrary, always contended, that the principles on which the Courts of equity proceed, being good,—the Courts being established, with known and understood functions—with machinery capable of being mended and moulded to new uses,—it would be mere wanton destruction to remove those Courts, when their principles must, by reason of the existing state of trade and civilisation, reappear in some form in some other place, and when even parts of their material machinery would, in all probability, have to be reproduced. We beseech correspondents, therefore, not to attribute to this journal, or its conductors, opinions and principles which, whether right or wrong, have never been enunciated in its pages, and are not (with such information as they at present possess) the opinions and principles of its conductors.

We enter this protest against being identified with the "*hommes rouges*" of Chancery reform, in consequence of finding that we are supposed to approve and to have urged such alterations as those which we here cite, and for which we are referred to a daily paper. Among the suggestions are such as the following:—

"That the distinction of 'bills' and 'claims' shall cease.

"That whereas written 'interrogatories,' as at present framed, are unintelligible (and inexplicable) to the party required to answer them, and the 'answer' is, consequently, the answer of the 'draftsman,' and not of the defendant, (the 'stating part' and 'charging part' of the 'bill' being likewise prolix, perplexing, and unnecessary); and whereas a complete 'discovery' may be most effectually obtained by the *viva voce* examina-

tion of the defendant at the trial of the cause, it is expedient that 'bills and answers,' 'demurrers,' 'exceptions,' 'pleas,' 'replications,' and whatever is comprehended by the term 'pleading,' shall be *entirely abolished*.

"That every suit shall be commenced by a 'plaint,' in the nature of a 'claim,' consisting of a statement of the relation between the parties, together with a summary of the *object* of the proceeding, (as in the 'prayer' of a 'bill'), and of *nothing more*.

"That printed forms shall be provided applicable to the utmost variety of cases, and that one of such printed forms, adapted, if need shall be, to the particular circumstances of the case in hand, (but with express restriction to the *object* of the suit), and signed by the plaintiff or his solicitor, shall be served on the defendant or his solicitor, such 'plaint' having been previously filed of record.

"That the plaintiff shall be at liberty to set down his cause for 'hearing' on the expiration of one fortnight from service of the 'plaint,' provided that such 'hearing' (unless by consent) shall not take place in less than a month from the time of setting down.

"That the plaintiff may set down the cause for hearing at the assizes for the county in which, or nearest to which, the matters involved therein have occurred, or in which, or nearest to which, the principal witnesses requisite for the support of his case may be resident."

"That 'affidavits' shall not be filed or read, except on a motion for an injunction, or for the appointment of a 'receiver.'"

Now, it is almost needless for us to say that such recommendations have not the specific and practical character which we have endeavoured always to impress upon any suggestions offered in *THE JURIST*. The very idea of printed forms of plaints, applicable to the utmost variety of cases brought into an equitable jurisdiction, is impractical in the extreme. So, the idea of setting down an equity cause at the assizes, (at least, as stated in the "suggestions"), if meant seriously, is enough to provoke a smile on any equity countenance; we will charitably suppose it to have been a mere slip of memory. Again: the suggestion that no affidavits shall be read, except on a motion for an injunction or a receiver, is mere wanton extinction of existing things, without reference to their fitness. Why should not affidavits, which are a very good kind of evidence for many purposes, be used, except for motions for injunctions and receivers; why not in support of other interlocutory applications? We quite admit that, of themselves, they are not always satisfactory, and we have in these pages suggested that, on contested motions, it would be well to give a power of cross-examining, *viva voce*, witnesses deposing in chief by affidavit; but for the sweeping abolition of affidavits, a class of evidence which has been characterised by a most eminent living judge as highly useful, we can see no good reason.

We shall say no more on the particular suggestions, portions of which we have here criticised; what we want chiefly to be understood as expressing is, that we hold ourselves out as desirous of seeing the redun-

dancies, the exuberances of Chancery proceedings and pleading cut off—of seeing its machinery repaired and its jurisdiction extended, so as to enable it more effectually to apply its principles. We do not hold ourselves out as desiring either the destruction of the Court, or the abandonment of its principles, or even the total destruction of all its forms of procedure; many of them are thoroughly good in principle, and want but little to make them good in practice.

Rolls Court.

Before the Right Hon. the MASTER OF THE ROLLS, at the Rolls.

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| Thursday | 29 | |
| Friday | 30 | Petitions in General Paper. |
| Saturday | 31 | Motions. |

Short Causes, Consent Causes, Unopposed Petitions, and Short Claims, every Saturday at the sitting of the Court.

Notice.—Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

London Gazettes.

TUESDAY, JANUARY 6.

BANKRUPTS.

HANSOM PALMER, late of Boston-road, Brentford, and now of Highgate, Middlesex, common brewer, (trading with Thomas Tearle, under the firm of Tearle & Palmer), Jan. 17 and Feb. 20 at 11, Court of Bankruptcy, London: Off. Ass. Cannan; Sols. Lawrance & Co., 14, Old Jewry-chambers, London.—Petition dated Dec. 30.

HENRY ROBERT SABINE, Poppin's-court, Fleet-street, London, cardmaker, dealer and chapman, Jan. 16 and Feb. 13 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sol. Brisley, 4, Pancras-lane, Chapside.—Petition filed Jan. 2.

PHILIP SUMMERS, Tabernacle-walk, Finsbury, Middlesex, fancy printer and embosser, Jan. 20 at 1, and Feb. 19 at 11, Court of Bankruptcy, London: Off. Ass. Bell; Sols. Lawrance & Co., Frederick's-place, Old Jewry.—Petition filed Jan. 5.

ROBERT TROWER, College-street, Chelsea, Middlesex, builder, Jan. 13 at 2, and Feb. 19 at 12, Court of Bankruptcy, London: Off. Ass. Bell; Sols. G. & G. H. Clark, 28, Finsbury-place.—Petition filed Jan. 1.

JOSEPH COLES, Buckingham, dealer in corn, Jan. 15 at 1, and Feb. 14 at 11, Court of Bankruptcy, London: Off. Ass. Pennell; Sols. Newbon & Evans, 1, Wardrobe-place, Doctors'-commons.—Petition dated Dec. 23.

JOHN COGLE, Limington, Somersetshire, miller, farmer, dealer and chapman, Jan. 15 and Feb. 18 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hernaman; Sols. Read & Son, Bridgwater; Stogdon, Exeter.—Petition filed Jan. 3.

THOMAS HICHENS, St. Thomas the Apostle, Devonshire, timber merchant, dealer and chapman, Jan. 21 and Feb. 23 at 11, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sol. Brutton, Exeter.—Petition filed Jan. 5.

THOMAS ROBINSON, Kingston-upon-Hull, broker, general commission agent, dealer and chapman, Jan. 28 and Feb. 18 at 12, District Court of Bankruptcy, Kingston-upon-Hull: Off. Ass. Carrick; Sol. Preston, Hull.—Petition dated Jan. 5.

HUGH BROWN, Liverpool, ship chandler and sailmaker, (also carrying on business in the same place with Matthew Butcher Evans, as sailmakers), Jan. 16 and Feb. 12 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Bird; Sol. Groatley, Liverpool.—Petition filed Jan. 1.

MISTAKES.

Wm. Stanton, Buckingham, watchmaker, Jan. 29 at half-past 1, Court of Bankruptcy, London, last ex.—*L. Solomon*, Bury-street, St. Mary Axe, London, jeweller, Jan. 17 at 12, Court of Bankruptcy, London, last ex.—*Wm. T. Adcock*, Manchester, hotel keeper, Jan. 16 at 11, District Court of Bankruptcy, Manchester, last ex.—*John Entwistle*, Radcliffe, and Manchester, cotton manufacturer, Jan. 22 at 12, District Court of Bankruptcy, Manchester, last ex.—*James Davies*, Weston-street, Bromley, Middlesex, builder, Jan. 23 at 11, Court of Bankruptcy, London, and. ac.—*B. Wyon*, Regent-st., Middlesex, engraver, Jan. 19 at 11, Court of Bankruptcy, London, and. ac.—*M. Lewis*, Oxford-st., Middlesex, draper, Jan. 16 at 1, Court of Bankruptcy, London, and. ac.—*H. J. Cook*, Hedge-row, High-st., Islington, Middlesex, linen-draper, Jan. 27 at half-past 12, Court of Bankruptcy, London, div.—*Henry Edward Thompson*, Long-acre, Middlesex, India rubber bath manufacturer, Jan. 29 at 1, Court of Bankruptcy, London, div.—*George Webb* and *Archibald Tanno Webb*, Great St. Helen's, London, wine merchants, Jan. 29 at 12, Court of Bankruptcy, London, div.—*Charles James Mason*, Fenton Staffordshire Potteries, Staffordshire, china manufacturer, Jan. 27 at 1, District Court of Bankruptcy, Birmingham, div.—*Alfred Allen Sutterby*, Stoke Ferry, Norfolk, grocer, Jan. 23 at 11, Court of Bankruptcy, London, div.—*William Seddon*, Eccleston, Lancashire, flour dealer, Jan. 27 at 11, District Court of Bankruptcy, Liverpool, div.—*John Stockdale*, Liverpool, soap manufacturer, Jan. 27 at 11, District Court of Bankruptcy, Liverpool, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Augustus Radcliffe the younger, Chichester-place, Gray's-inn-road, Middlesex, window-glass merchant, Jan. 29 at 11, Court of Bankruptcy, London.—*Henry Pamment*, Penton-street, Pentonville, Middlesex, cheesemonger, Jan. 29 at 12, Court of Bankruptcy, London.—*Wm. Simmonds*, Brighton, Sussex, grocer, Jan. 29 at 11, Court of Bankruptcy, London.—*John Clarke Sanford*, Paternoster-row, London, stationer, Jan. 28 at half-past 11, Court of Bankruptcy, London.—*Solomon Solomon*, Strand, Middlesex, tailor, Jan. 28 at 12, Court of Bankruptcy, London.—*Richard Seymour*, Downham, Cambridgeshire, grocer, Jan. 28 at half-past 12, Court of Bankruptcy, London.—*John Fuller*, Ely, Cambridgeshire, stonemason, Jan. 28 at 11, Court of Bankruptcy, London.—*Benjamin Tedd*, Coventry, Warwickshire, cotton dresser, Jan. 29 at half-past 11, District Court of Bankruptcy, Birmingham.

To be granted, unless an Appeal be duly entered.

Henry Spiller, St. John's Wood, Middlesex, slater.—*Geo. Godbolt*, College-place, King's-road, Chelsea, Middlesex, carpenter.—*William Strange* the younger, Paternoster-row, London, bookseller.—*Thomas Davey* the younger, Halstead, Essex, builder.—*Thos. Young Wall*, Chatham, Kent, brewer.—*George Pim* and *Sylvanus Pim*, Birkenhead, Cheshire, merchants.—*John Forman* and *Robert Frow*, Kingston-upon-Hull, joiners.

PARTNERSHIPS DISSOLVED.

Henry Workman, *Herbert New*, and *Courtenay Connell Prance*, Bengeworth, Evesham, Worcestershire, attorneys at law, solicitors, and conveyancers, (under the firm of Workman, New, & Prance), so far as relates to the said *Henry Workman*.—*Robert Sewell* and *S. W. House*, Swaffham, Norfolk, attorneys and solicitors.—*Thomas Woodham*, *Charles Seagrin*, and *Robt. Withington Simonds*, Winchester, Southampton, attorneys and solicitors.

SCOTCH SEQUESTRATIONS.

Alexander M'Math, Camlachie, near Glasgow, dyer.—*Archibald M'Kay*, Newmilns, spirit dealer.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

Robert Minton, Dry Sandford, near Enstone, Oxfordshire, shoemaker, Jan. 24 at 11, County Court of Oxfordshire, at Woodstock.—*Richard Yerbury*, Burford, Oxfordshire, assistant to a surgeon, Jan. 23 at 12, County Court of Oxfordshire, at Witney.—*William Smith*, Kent, Folkestone, shoemaker, Jan. 13 at 10, County Court of Kent, at Folkestone.—*David Evans*, Swansea, Glamorganshire, grocer, Jan. 24 at 10, County Court of Glamorganshire, at Swansea.—*Samuel William Moseley*, Neath, Glamorganshire, cabinet maker, Jan. 23 at 10, County Court of Glamorganshire, at Neath.—*Spencer Sargent*, Hastings, Sussex, out of business, Jan. 26 at 11, County Court of Sussex, at Hastings.—*Joseph Green*, Whitehaven, Cumberland, butcher, Jan. 27 at half-past 9, County Court of Cumberland, at Whitehaven.—*Wm. Wynn* the younger, Brighton, Sussex, tobacconist, Jan. 16 at 12, County Court of Sussex, at Brighton.—*Chas. Cowley*, Southwick, Sussex, parish constable, Jan. 30 at 12, County Court of Sussex, at Brighton.—*William Geo. Smith*, Brighton, Sussex, carver and gilder, Jan. 16 at 12, County Court of Sussex, at Brighton.—*George Nelson Woolston*, Southtown, Suffolk, shipbroker, Jan. 21 at 10, County Court of Norfolk, at Great Yarmouth.—*Thomas Martin Mitchell*, Cambridge, innkeeper, Jan. 21 at 10, County Court of Norfolk, at Great Yarmouth.—*Charles Hames*, Salford, Lancashire, assistant station master, Jan. 14 at 1, County Court of Lancashire, at Salford.—*Benj. Jackson*, Longhope, Gloucestershire, grocer, Jan. 29 at 10, County Court of Gloucestershire, at Gloucester.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 21 at 11, before the CHIEF COMMISSIONER.

Samuel William Paskell, Gloucester-road, Old Brompton, Middlesex, picture dealer.—*Charles Orrah*, High Holborn, Middlesex, dining-room keeper.—*James Geo. Bulton*, Skinner-st., Shoreditch, Middlesex, cabinet manufacturer.—*Wm. Marshall*, Letter D, Hudson's New-town, Stratford, Essex, servant in the employ of the Eastern Counties Railway.

Jan. 21 at 10, before Mr. Commissioner LAW.

Thomas Furnice, High-street, Portland-town, Marylebone, Middlesex, hairdresser.

Adjourned Case.

Joseph Thompson, Terrace, Kensington, Middlesex, out of employ.

Saturday, Jan. 3.

The following Assignees have been appointed. Further particulars may be learned at the Office, in Portugal-st., Lincoln's-inn-fields, on giving the Number of the Case.

Thomas Thompson, Durham, currier, No. 74,391 C.; Hen. Angus, assignee.—*J. Marr*, Lancaster, butcher, No. 74,207 C.; John Kitching, assignee.—*Philip M'Anulty*, Birmingham, draper, No. 74,226 C.; Edw. Cope, assignee.—*John Wheatcraft*, Matlock, Bath, Derbyshire, surveyor, No. 74,289 C.; Jos. Briggs, assignee.—*Thos. Edwards*, Watchett, Somersetshire, manager of an ironfoundry, No. 74,374 C.; William C. Renton, assignee.

Saturday, Jan. 3.

Orders have been made, vesting in the Provisional Assignee the Estates and Effects of the following Persons:—

(On their own Petitions).

William Davies, Barnet-grove, Bethnal-green, Middlesex, cabriolet driver: in the Debtors Prison for London and Middlesex.—*Alfred Bayley*, Harriet-terrace, Upper Holloway, Middlesex, stockbroker: in the Debtors Prison for London and Middlesex.—*Thos. Pearson*, Minorities, London, commission agent: in the Debtors Prison for London and Middlesex.—*C. A. Jaquin*, Monkwell-street, Falcon-square, London, machinist: in the Debtors Prison for London and Middlesex.—*James Michael Mallan*, Gower-st., Bedford-square, Middlesex, dentist: in the Queen's Prison.—*Augustus William Enever*, Mark-lane, London, clerk to a wine merchant: in the

Debtors Prison for London and Middlesex.—*John Grant*, King's Sutton, Northamptonshire, grazier: in the Debtors Prison for London and Middlesex.—*Francis Butcher*, Saint Mary Axe, London, licensed victualler: in the Debtors Prison for London and Middlesex.—*Henry Trimbley Gray*, Stepney-green, Middlesex, rope maker: in the Debtors Prison for London and Middlesex.—*Moses Jacobs*, Berwick-st., Soho, Middlesex, glass chandelier maker: in the Debtors Prison for London and Middlesex.—*Ann Green*, spinster, Southampton-buildings, Holborn, Middlesex, lodging-house keeper: in the Debtors Prison for London and Middlesex.—*Thomas Lonsdale*, Blackburn, Lancashire, grocer: in the Gaol of Lancaster.—*Charles Glover*, Hindley, near Wigan, Lancashire, licensed victualler: in the Gaol of Lancaster.—*Samuel S. Middleton*, Ecclesall, near Sheffield, Yorkshire, manufacturer of knives: in the Gaol of York.—*James Woodrow*, Withington, near Manchester, commission broker: in the Gaol of Lancaster.—*Edward Fawcett*, Salford, Lancashire, rag dealer: in the Gaol of Lancaster.—*John Morrell*, Leeds, Yorkshire, shoemaker: in the Gaol of York.—*J. Loosemore*, Little Champson, Molland, Devonshire, farmer: in the Gaol of St. Thomas the Apostle.—*J. Lawrence*, Petworth, Sussex, woolstapler: in the Gaol of Petworth.—*J. Tily*, Cheltenham, Gloucestershire, chemist: in the Gaol of Gloucester.—*Richard Cross*, Chester, out of business: in the Gaol of Chester.—*Joseph H. Farrand*, Liverpool, grocer: in the Gaol of Lancaster.—*Thomas Percival*, Bowness, Cumberland, shoemaker: in the Gaol of Carlisle.—*John Moss*, Scotter, Lincolnshire, publican: in the Gaol of Kingston-upon-Hull.—*J. Bywater*, Blooms Grove, Radford, near Nottingham, tailor: in the Gaol of Nottingham.—*Samuel Boston*, York, shopkeeper: in the Gaol of York.—*W. Wray*, Leeming, near Bedale, Yorkshire, millowner: in the Gaol of York.—*Henry Pickering*, Sheffield, Yorkshire, blade grinder: in the Gaol of York.—*Thomas Marshall*, Selby, Yorkshire, publican: in the Gaol of York.—*Wm. Willis*, Coventry, Warwickshire, butcher: in the Gaol of Coventry.—*Edward Wilson*, Birmingham, manufacturer of plated wares: in the Gaol of Coventry.—*Job Ross*, Wood Nook, Stanningley, near Bradford, Yorkshire, clothier: in the Gaol of York.—*James Jubb*, Skelmanthorpe, near Huddersfield, Yorkshire, innkeeper: in the Gaol of York.—*Robert Rigg*, Rochdale, Lancashire, dealer in drapery: in the Gaol of Lancaster.—*Otho Guilford*, Brighton, Sussex, baker: in the Gaol of Lewes.—*Israel Spencer*, Brighton, Sussex, out of business: in the Gaol of Lewes.—*Bechamp Ely*, Toft Monks, Norfolk, shoemaker: in the Gaol of Norwich.—*James O. Rivers*, Kirtton, Suffolk, labourer: in the Gaol of Ipswich.—*Thos. Horsfall*, Dyer's-buildings, Holborn, traveller: in the Debtors Prison for London and Middlesex.

The following Prisoner is ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 22 at 11, before Mr. Commissioner PHILLIPS.

Frederick Henry Harwood, Moor-terrace, Park-road, New Peckham, Surrey, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Devonshire, at EXETER, Jan. 17 at 10.

Richard S. Cleeve, Petton, Bampton, carpenter.—*James Loosemore*, Little Champson, Molland, farmer.—*G. Crookford*, West Exe, Tiverton, mason.—*Charles Henry Woodley*, Exeter, gentleman.

At the County Court of Worcestershire, at WORCESTER, Jan. 20 at 10.

Michael Heming, Stoney Bridge, Bellbroughton, out of business.

At the County Court of Glamorganshire, at CARDIFF, Jan. 20.

John Thomas, Pontrhydyven, Michaelstone-super-Avon, grocer.

At the County Court of Warwickshire, at COVENTRY, Jan. 21 at 12.

Wm. Stubbs, Birmingham, brass founder.—*R. Fairbairns*, Birmingham, auctioneer.—*John Pilebury*, Lozells, near Bir-

mingham, builder.—*Henry Orchard*, Birmingham, builder.—*Edward Wilson*, Birmingham, manufacturer of plated wares.

At the County Court of Northamptonshire, at NORTHAMPTON, Jan. 21.

Richard Sculthorpe, Northampton, in no business.

At the County Court of Sussex, at PETWORTH, Jan. 23.

John Lawrence, Petworth, woolstapler.

MEETING.

Moses Nathan, deceased, Portsmouth, Hampshire, prize agent, Jan. 30, Thompson's, George-street, Minorics, London, sp. aff.

FRIDAY, JANUARY 9.

BANKRUPTS.

RICHARD BILLING the elder and **RICHARD BILLING** the younger, Reading, Berkshire, brickmakers, Jan. 23 at half-past 12, and Feb. 20 at 12, Court of Bankruptcy, London: Off. Ass. Stansfeld; Sols. Blandy, Reading; Gregory & Faulkner, 1, Bedford-row, London.—Petition filed Jan. 2.

FREDERICK FREEMAN COBB, Canterbury, Kent, grocer, and wine and spirit merchant, dealer and chapman, Jan. 20 and Feb. 17 at 12, Court of Bankruptcy, London: Off. Ass. Graham; Sol. Cullen, 57, High-street, Poplar, Middlesex.—Petition filed Jan. 6.

SAMUEL MASON, Newcastle-under-Lyne, Staffordshire, draper, dealer and chapman, Jan. 21 and Feb. 18 at half-past 11, District Court of Bankruptcy, Birmingham: Off. Ass. Whitmore; Sols. Fenton, Newcastle-under-Lyne; Motteram & Co., Birmingham.—Petition dated Dec. 31.

JOHN WILLIAMS, Bristol, shipowner, tea dealer, dealer and chapman, Jan. 23 and Feb. 18 at 12, District Court of Bankruptcy, Bristol: Off. Ass. Miller; Sol. Day, Bristol.—Petition filed Jan. 6.

DAVID BOOBYER, Tavistock, Devonshire, ironmonger, dealer and chapman, Jan. 20 and Feb. 18 at 1, District Court of Bankruptcy, Exeter: Off. Ass. Hirtzel; Sols. Parker & Co., 17, Bedford-row, London.—Petition filed Jan. 5.

GEORGE MILNES, now of Falsgrave and Scarborough, and late of Huddersfield, Yorkshire, cloth merchant, dealer and chapman, Jan. 26 and Feb. 16 at 12, District Court of Bankruptcy, Leeds: Off. Ass. Hope; Sols. Barker, or Hird, Huddersfield.—Petition dated Jan. 5.

JOHN BRADSHAW TAYLOR, Liverpool, commission agent and shipbroker, Jan. 22 and Feb. 13 at 11, District Court of Bankruptcy, Liverpool: Off. Ass. Turner; Sol. Booker, Liverpool.—Petition filed Jan. 6.

ROBERT WALL OGILVIE, Newcastle-upon-Tyne, ship and insurance broker and general commission agent, Jan. 20 at 11, and Feb. 26 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne: Off. Ass. Baker; Sol. White, Sunderland.—Petition filed Dec. 31.

MEETINGS.

Joseph Turner, Eastbourne, Sussex, draper, Jan. 19 at 2, Court of Bankruptcy, London, pr. d.—*J. M. Wilson*, Eton, Buckinghamshire, bookseller, Jan. 20 at 12, Court of Bankruptcy, London, and ac.—*John Drew*, Hampton Gay Mills, Hampton Gay, Oxfordshire, papermaker, Jan. 20 at 2, Court of Bankruptcy, London, aud. ac.—*M. T. S. Welsh*, Romford, Essex, linendraper, Jan. 20 at 2, Court of Bankruptcy, London, aud. ac.—*John Young Smith*, Newcastle-upon-Tyne, shipbroker, Feb. 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne, aud. ac.—*Charles Bayliffe*, Chippenham, Wiltshire, surgeon, Jan. 29 at 11, District Court of Bankruptcy, Bristol, aud. ac.—*William Seddon*, Ecclestone, Lancashire, flour dealer, Jan. 26 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Richard Jackson*, Liverpool and Bolton-le-Moors, Lancashire, organ builder, Jan. 21 at 11, District Court of Bankruptcy, Liverpool, aud. ac.—*Geo. D. Robinson*, Manchester, coach builder, Jan. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*E. T. Leeming*, Manchester, hosier, Jan. 20 at 12, District Court of Bankruptcy, Manchester, aud. ac.—*Edward Lacy*, Birmingham, glass dealer, Jan. 28 at half-past 11, District Court of Bankruptcy, Birmingham, aud. ac.; Feb. 4 at half-past 11, div.—*John Johnson*, Wolston, Warwickshire, coal dealer, Jan. 27 at

1, District Court of Bankruptcy, Birmingham, aud. ac.—*J. Watson*, Skipton, Yorkshire, linen draper, Jan. 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*George Robson* the younger, Osbaldwick, Yorkshire, horse dealer, Jan. 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Samuel Waite*, Leeds, Yorkshire, cloth manufacturer, Jan. 22 at 11, District Court of Bankruptcy, Leeds, aud. ac.—*Jas. Keele* and *R. J. Bisdee*, Riches-court, Lime-street, London, merchants, Feb. 2 at half-past 1, Court of Bankruptcy, London, div.—*John T. Brameld*, Titchborne-street, and Great Windmill-street, Westminster, Middlesex, china dealer, Feb. 3 at 12, Court of Bankruptcy, London, div.—*Chas. Wheeler*, St. Martin's-lane, Middlesex, woollendrapers, Jan. 31 at 11, Court of Bankruptcy, London, div.—*Thos. Ekin*, Cambridge, spirit merchant, Jan. 30 at 11, Court of Bankruptcy, London, div.—*Spencer Ashlin*, Eastcheap, London, cornfactor, Jan. 30 at 1, Court of Bankruptcy, London, div.—*Thos. Powell*, Aston, near Birmingham, miller, Feb. 4 at half-past 11, District Court of Bankruptcy, Birmingham, fin. div.—*Wm. Smith*, Leeds, Yorkshire, ironfounder, Jan. 30 at 11, District Court of Bankruptcy, Leeds, div.—*John Thompson*, Leeds, Yorkshire, glass dealer, Jan. 30 at 11, District Court of Bankruptcy, Leeds, div.—*John Beach*, Bradford, Yorkshire, apothecary, Jan. 30 at 11, District Court of Bankruptcy, Leeds, div.—*John Hill*, Thorne, Yorkshire, wine merchant, Jan. 31 at 12, District Court of Bankruptcy, Sheffield, div.—*W. Waterman*, Sheffield, Yorkshire, grocer, Jan. 31 at 12, District Court of Bankruptcy, Sheffield, div.

CERTIFICATES.

To be allowed, unless Cause be shown to the contrary on or before the Day of Meeting.

Wm. Davies, Walbrook, London, coal merchant, Feb. 3 at 11, Court of Bankruptcy, London.—*Edw. Chertton*, Holles-st., Cavendish-square, Middlesex, bookseller, Jan. 3 at 12, Court of Bankruptcy, London.—*Ely Kitson*, Fenchurch-st., London, saddler, Feb. 3 at 11, Court of Bankruptcy, London.—*James Bate*, New Windsor, Berkshire, builder, Jan. 31 at 12, Court of Bankruptcy, London.—*Wm. Starr Whatford*, Brighton, Sussex, dentist, Jan. 31 at 12, Court of Bankruptcy, London.—*Wm. White*, Winchester, Southampton, builder, Jan. 30 at half-past 11, Court of Bankruptcy, London.—*Wm. Jones*, New-road, Whitechapel, Middlesex, and East Ham, Essex, cowkeeper, Jan. 31 at 11, Court of Bankruptcy, London.—*John Young Smith*, Newcastle-upon-Tyne, shipbroker, Feb. 5 at 12, District Court of Bankruptcy, Newcastle-upon-Tyne.—*Wm. Rawlins*, Warwick, maltster, Feb. 4 at half-past 11, District Court of Bankruptcy, Birmingham.—*Wm. Waudby King*, Liverpool, chemist, Feb. 2 at 12, District Court of Bankruptcy, Liverpool.

To be granted, unless an Appeal be duly entered.

Hugh Snelling, Brighton, Sussex, grocer.—*Chas. Bayliffe*, Chippenhams, Wiltshire, surgeon.—*John Thos. Cole*, Thorpe-le-Soken, Essex, auctioneer.—*James Mellor*, Manchester, haberdasher.—*Wm. Pashley* and *Francis Pashley*, Sheffield, Yorkshire, table-knife manufacturers.

SCOTCH SEQUESTRATIONS.

George Dunbar, deceased, Edinburgh, professor of Greek.—*John Main*, Glasgow, merchant.—*Wm. Johnston*, Edinburgh, poulterer.—*Wm. Clark*, Edinburgh, grocer.—*Angus Morrison*, Glasgow, merchant.

INSOLVENT DEBTORS

Who have filed their Petitions in the Court of Bankruptcy, and have obtained an Interim Order for Protection from Process.

James Fowler, Acle, Norfolk, publican, Jan. 26 at 10, County Court of Norfolk, at Norwich.—*Charles Greville*, Bath, Somersetshire, surgeon, Jan. 17 at 11, County Court of Somersetshire, at Bath.—*Richard Jenkins*, Pontypridd, Glamorganshire, grocer and tea dealer, Jan. 17 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Rees Lloyd*, Brynmawr, Brecknockshire, beer-house keeper, Jan. 16 at 10, County Court of Glamorganshire, at Crickhowell.—*David Thomas*, Swansea, Glamorganshire, plasterer, Jan. 24 at 10, County Court of Glamorganshire, at Swansea.—*Evan Polley*, Merthyr Tydvil, Glamorganshire, collier, Jan. 17 at 10, County Court of Glamorganshire, at Merthyr Tydvil.—*Stephen Sheldon*, Sedgley, Staffordshire, iron-chest maker, Jan. 20 at 12, County Court of Worcestershire, at Dudley.—

John Smith Carter, Sedgley, Staffordshire, cordwainer, Jan. 30 at 12, County Court of Worcestershire, at Dudley.—*John Edwards*, Llangefni, Anglesey, tinman, Jan. 27 at 10, County Court of Anglesey, at Llangefni.—*John Newman*, Norwich, gardener, Jan. 26 at 10, County Court of Norfolk, at Norwich.—*Edward Spittle*, West Bromwich, Staffordshire, cow dealer, Jan. 24 at 2, County Court of Staffordshire, at Oldbury.—*Frederick Rogers*, Ashford, Kent, grocer, Jan. 19 at 10, County Court of Kent, at Ashford.—*Thomas Fiet*, Dover, Kent, currier, Jan. 14 at 10, County Court of Kent, at Dover.—*Thomas Stagg*, King's Lynn, Norfolk, gig painter, Jan. 28 at 4, County Court of Norfolk, at King's Lynn.—*Henry Forster*, Great Massingham, Norfolk, plumber, Jan. 28 at 4, County Court of Norfolk, at King's Lynn.—*Richard Elwell Jones*, King's Lynn, Norfolk, chemist, Jan. 28 at 4, County Court of Norfolk, at King's Lynn.—*Joseph Fisher*, Great Massingham, Norfolk, shoemaker, Jan. 28 at 4, County Court of Norfolk, at King's Lynn.—*John Taylor*, Matford, Suffolk, farmer, Jan. 21 at 10, County Court of Suffolk, at Lowestoft.—*Mary Mitchell*, King's Lynn, Norfolk, milliner, Jan. 28 at 4, County Court of Norfolk, at King's Lynn.—*Ramaden Robinson*, Halifax, Yorkshire, cloth dresser, Jan. 23 at 10, County Court of Yorkshire, at Halifax.—*Samuel Hobson*, Huddersfield, Yorkshire, assistant teacher, Jan. 23 at 10, County Court of Yorkshire, at Halifax.—*James Brundie*, Dickleburgh, Norfolk, salesman, Jan. 19 at 1, County Court of Norfolk, at Harleston.—*Henry Duffen*, Tasburgh, near Long Stratton, Norfolk, blacksmith, Jan. 19 at 1, County Court of Norfolk, at Harleston.—*John Marriott*, Earl Stonham, Suffolk, farmer, Jan. 27 at 10, County Court of Suffolk, at Stowmarket.—*Henry Tilney*, Halesworth, Suffolk, carrier, Jan. 22 at 12, County Court of Suffolk, at Halesworth.—*Omer Collins*, Arundel, Sussex, chemist, Jan. 24 at 10, County Court of Sussex, at Arundel.—*John Monk Wheeler*, Burghfield-hatch, near Reading, Berkshire, saddler, Feb. 5 at 11, County Court of Berkshire, at Reading.—*Thomas Watts*, Reading, Berkshire, leather cutter, Feb. 5 at 11, County Court of Berkshire, at Reading.

The following Persons, who, on their several Petitions filed in the Court, have obtained Interim Orders for Protection from Process, are required to appear in Court as herein-after mentioned, at the Court-house, in Portugal-street, Lincoln's Inn, as follows, to be examined and dealt with according to the Statute:—

Jan. 23 at 10, before Mr. Commissioner LAW.

Charles Frederick Sayer, Middleton-place, Queen's-road, Dalston, Middlesex, plumber.

Jan. 24 at 11, before Mr. Commissioner PHILLIPS.

Charles Ward Thomas, Frederick-street, Regent-street, Westminster, Middlesex, greengrocer.

Jan. 26 at 11, before Mr. Commissioner PHILLIPS.

David Kaill, Woodland-place, Kentish-town, Middlesex, shoemaker.

The following Prisoners are ordered to be brought up before the Court, in Portugal-street, to be examined and dealt with according to the Statute:—

Jan. 23 at 11, before the CHIEF COMMISSIONER.

Alfred Bayley, Harriet-terrace, Upper Holloway, Middlesex, and Lothbury, London, stockbroker.—*John Benton*, Acton-street, Gray's-inn-road, Middlesex, following no trade.—*Henry Rickett*, Richmond-road, Islington, Middlesex, out of business.

Jan. 24 at 11, before Mr. Commissioner PHILLIPS.

Samuel Lovering, Judd-place West, New-road, Middlesex, out of business.

The following Prisoners are ordered to be brought up before a Judge of the County Court, to be examined and dealt with according to the Statute:—

At the County Court of Warwickshire, at WARWICK, Jan. 23 at 10.

Ann Wagstaff, Birmingham, out of business.

At the County Court of Norfolk, at the Shirehall, NORWICH CASTLE, Jan. 26.

Bechamp Ely, Toft Monks, shoemaker.—*John Copland*, Great Dunham, miller.—*Richard Symonds*, Bradford, attorney's clerk.

At the County Court of Cumberland, at CARLISLE, Jan. 26 at 10.

Thomas Percival, Bowness, shoemaker.

At the County Court of Carnarvonshire, at CARNARVON, Jan. 26 at 10.

Thomas Lester, Carnarvon, grocer.

At the County Court of Yorkshire, at YORK CASTLE, Jan. 26 at 10.

John M. Harrison, Knaresborough, out of business.—J. Harrison, Gisburn, near Skipton, out of business.—George Moody, Hopton-in-Mirfield, near Dewsbury, labourer.—Robt. Shepley, Saddleworth, shopkeeper.—John Morrell, Leeds, out of business.—John Cockin, Sheepridge, near Huddersfield, out of business.—George Cliffe, Brighouse, near Halifax, carrier.—James Jubb, Skelmanthorpe, near Wakefield, innkeeper.—James Lawson, Bradford, cork cutter.—William Stevenson, Brinsworth, near Rotherham, miller.—J. Stevenson, Rotherham, station master on the Sheffield and Rotherham Railway.—John Cousens, Market Weighton, grocer.—Samuel S. Middleton, Ecclesall, near Sheffield, manufacturer of table knives.—Henry Birkly, Leeds, joiner.—J. Robinson, Wakefield, printer.—William Pottage, Baburth, near Selby, tailor.—Richard Popplewell, Selby, brazier.—Job Ross, Stanningley, near Bradford, clothier.—Samuel Elsworth, Little Horton, near Bradford, shopkeeper.—John Sheard, Morley, near Leeds, clothier.—Thomas Marshall, Selby, pub-

lican.—Wm. Wray, Leeming, near Bedale, millowner.—H. Pickering, Sheffield, greengrocer.—Edward Meyers, Leeds, tea dealer.—Joseph Allen, Sheffield, butcher.—Saml. Boston, York, out of business.

At the County Court of Sussex, at LEWES, Jan. 27.

Israel Spencer, Brighton, out of business.—Otho Guilford, Brighton, baker.

At the County Court of Carmarthenshire, at CARMARTHEN, Jan. 27 at 2.

John Harries Davies, Llwynymoch, Llanddau-mint, farmer.—Moses Edwards, Ystrad, Llandingat, farmer.

INSOLVENT DEBTORS' DIVIDENDS.

Joseph Preston, Hackney-road, Shoreditch, Middlesex, cheesemonger : 1s. 5½d. in the pound.—Hen. Bowyer Winter, Redcross-street, Cripplegate, London, agent : 12s. 1d. in the pound.—Hastings Moore, Burr-street, East Smithfield, Middlesex, clerk in the St. Katherine's Dock : 11½d. in the pound.—John Dickens, deceased, Belle-vue, Hampstead, Middlesex, superannuated clerk in the Navy Pay-office : 5s. 5d. in the pound.—William Henry Smith, Amelia-street, Walworth-road, Surrey, clerk in her Majesty's Customs : 1s. 0½d. (making 20s. in the pound).—Ann Honoria Bradbury, Kennington-place, Kennington-common, Surrey, boarding-school mistress : 2s. 7d. in the pound.

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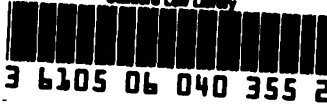
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